

JOURNAL

OF

THE SENATE

OF THE

COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE TOWN OF FRANKFORT, ON MONDAY THE TWENTY-EIGHTH
DAY OF DECEMBER, IN THE YEAR OF OUR LORD 1835, AND OF THE
COMMONWEALTH THE FORTY-FOURTH.

FRANKFORT, KY.

ALBERT G. HODGES, PRINTER FOR THE STATE.

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1835.

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JOURNAL OF THE SENATE.

At a General Assembly, begun and held for the State of Kentucky, at the Capitol in the town of Frankfort, on Monday the 28th day of December 1835, and in the 44th year of the Commonwealth.

It being the day appointed by the Proclamation of the Lieutenant and acting Governor, for the meeting of the General Assembly, the following members of the Senate appeared and took their seats, to-wit:

From the counties of Christian and Todd, Samuel B. Jessup; from the counties of Logan and Simpson, Presley Morehead; from the counties of Henderson, Union and Hopkins, Andrew Sisk; from the counties of Warren and Allen, Henry Grider; from the counties of Barren and Edmonson, Hezekiah P. Murrell; from the counties of Green and Hart, William T. Willis; from the counties of Cumberland and Monroe, Ambrose S. Bramlette; from the counties of Pulaski and Wayne, John McHenry; from the counties of Breckenridge, Hancock, Ohio and Daviess, Anselm Watkins; from the counties of Hardin and Meade, George Roberts; from the city of Louisville, and the counties of Jefferson and Bullitt, James Guthrie; from the county of Shelby, William G. Boyd; from the counties of Nelson and Spencer, Stanley Young; from the county of Mercer, Samuel Daviess; from the counties of Lincoln, Rockcastle and Laurel, William Smith; from the county of Garrard, Samuel Lusk; from the county of Madison, Robert Miller; from the counties of Knox, Clay, Harlan and Whitley, John Gilbert; from the counties of Gallatin, Boone and Grant, Philip S. Bush; from the counties of Campbell and Pendleton, Richard Southgate; from the counties of Bracken and Nicholas, Thomas Metcalfe; from the counties of Franklin, Owen and Anderson, Cyrus Wingate; from the counties of Harrison and Scott, Joseph Patterson; from the county of Bourbon, John R. Thornton; from the counties of Woodford and Jessamine, William B. Blackburn; from the counties of Greenup, Lewis and Lawrence, William G. Carter; from the county of Fleming, Daniel Morgan; from the county of Mason, Winslow Parker; from the counties of Morgan, Floyd, Pike and Perry, Samuel May; and from the counties of Clarke and Estill, Samuel Hanson.

The said Samuel B. Jessup, Anselm Watkins, James Guthrie, Stanley Young, Daniel Morgan, Winslow Parker, Samuel May,

and Samuel Hanson, severally produced certificates of their having been duly elected, and took the several oaths required by the constitution of the United States, and the constitution and laws of this State.

The Lieutenant Governor having become acting Governor by the death of his Excellency John Breathitt, the Senate proceeded to the election of a Speaker for the occasion.

Mr. Willis nominated Mr. Wm. B. Blackburn as a proper person to fill that office.

Upon taking the vote, Mr. Wm. B. Blackburn was unanimously elected Speaker of the Senate for the occasion.

He was conducted to the Chair by Messrs. Willis and Thornton, from whence he made acknowledgments for the honor conferred.

James Stonestreet was elected Clerk of the Senate during the present session, and Benjamin R. Pollard Assistant Clerk, whereupon they severally took the oaths of office.

Mr. Smith nominated Michael Davidson for the office of Sergeant at Arms of the Senate, and Mr. Hanson nominated John Buford; upon taking the vote, it stood thus:

FOR MR. MICHAEL DAVIDSON—MESSRS. Boyd, Gilbert, Lusk, Metcalfe, Miller, Morgan, Murrell, Parker, Smith, Thornton, Watkins and S. Young—12.

FOR MR. JOHN BUFORD—MR. SPEAKER, MESSRS. Bramlette, Bush, Carter, Daviess, Grider, Guthrie, Hanson, Jessup, McHenry, May, Morehead, Patterson, Roberts, Sisk, Southgate, Willis and Wingate—18.

John Buford having received a majority of all the votes given, was declared duly elected, whereupon he took the oaths of office.

Littleberry Bachelor was elected Doorkeeper of the Senate, and he took the oaths of office.

Ordered, That Mr. Daviess inform the House of Representatives that the Senate have met, formed a quorum, elected their officers, and are now ready to proceed to legislative business.

A message was received from the House of Representatives, announcing that they had met, formed a quorum, and elected their officers, and were now ready to proceed to legislative business.

Messrs. Daviess, Murrell and Smith, were appointed a committee on the part of Senate, to wait on the Lieutenant and acting Governor, and inform him that the General Assembly have convened, and are now ready to receive any communication he may think proper to make; and Mr. Daviess was directed to inform the House of Representatives thereof.

A message was received from the House of Representatives, announcing that they had appointed a committee on their part. The committee on the part of the Senate then retired, and soon

after returned, when Mr. Daviess reported, that the committee had performed the duty assigned them, and were informed by the Lieutenant and acting Governor, that he would make a communication in writing, by way of Message, to each branch of the General Assembly in their respective chambers, in fifteen minutes.

Ordered, That a committee for Courts of Justice be appointed; and a committee was appointed, consisting of Messrs. Guthrie, Thornton, Willis, James, Lusk, Grider, and Hanson; who are to take into consideration all matters relating to Courts of Justice, and such other matters as may, from time to time, be referred to them, and report their proceedings, with their opinion thereupon, to the Senate; and the said committee is to inspect the journal of the last session, and draw up a statement of the matters then pending and undetermined, and the progress made therein; also to examine what temporary laws have expired since the last session, and inspect such temporary laws as are near expiring, and report the same to the Senate, with their opinion, which of them ought to be revived and continued.

Ordered, That a committee of Propositions and Grievances be appointed; and a committee was appointed, consisting of Messrs. Daviess, Roberts, McDonald, Carter, Harreld, Morehead, Miller and Patterson, together with such other members as may from time to time choose to attend; who are to take under consideration all propositions and grievances that may be referred to them, and report their proceedings, together with their opinion thereupon, to the Senate.

Ordered, That a committee of Privileges and Elections be appointed; and a committee was appointed, consisting of Messrs. Murrell, Boyd, Parker, Sisk, Gilbert, Jessup and Patterson; who are to take under consideration, and examine all returns of election of Senators to serve in the General Assembly, and compare the same with the forms prescribed by law, and take into consideration all questions concerning elections, and such other matters as shall be, from time to time, referred to them, and report their proceedings, together with their opinion thereupon, to the Senate.

Ordered, That a committee of Religion be appointed; and a committee was appointed, consisting of Messrs. Wingate, Miller, Bush, Coffey, McDonald and Harreld; who are to take under consideration all matters and things relating to religion and morality, and such other things as may be, from time to time, referred to them, and report their proceedings, together with their opinion thereupon, to the Senate.

Ordered, That a committee of Internal Improvement and Domestic Manufactures be appointed; and a committee was appointed

ed, consisting of Messrs. Metcalfe, Southgate, Grider, Morgan, Smith, May and S. Young; who are to take under consideration all matters concerning the public highways and navigable streams, and relating to the condition and improvement of the manufactures of the country, and such other matters and things, as may, from time to time, be referred to them, and report their proceedings, together with their opinion thereupon, to the Senate.

Ordered, That a committee of Finance be appointed; and a committee was appointed, consisting of Messrs. Hanson, Thornton, Carter, Aquilla Young, Grider, Watkins and Parker; who are to take under consideration all matters and things relating to, or connected with the revenue and fiscal concerns of this Commonwealth, and such other matters and things as may be to them referred, from time to time, and report their proceedings, together with their opinion thereupon, to the Senate.

Ordered, That a committee on Education be appointed; and a committee was appointed, consisting of Messrs. Roberts, Willis, Lusk, Lyon, Aquilla Young and James; who are to take under consideration all matters and things relating to education, and such other matters and things as may be, from time to time, referred to them, and to report their proceedings, together with their opinion thereupon, to the Senate.

Ordered, That a committee on the Penitentiary be appointed; and a committee was appointed, consisting of Messrs. Morgan, Southgate, McHenry, Boyd, Bramlette and Jessup; who are to take into consideration all matters and things relating to the Penitentiary, and such other matters and things as may be, from time to time, referred to them, and to report their proceedings, together with their opinion thereupon, to the Senate.

Ordered, That a committee on Military Affairs be appointed; and a committee was appointed, consisting of Messrs. Smith, Metcalfe, Lyon, Boyd, Coffee, Harreld and McHenry; who are to take under consideration all matters and things relating to the Militia and Military Affairs of the State, and such other things as may, from time to time, be referred to them, and report their proceedings, together with their opinion thereupon, to the Senate.

And each of said committees are to meet and adjourn from day to day, and shall have power to send for persons, papers and records for their information.

Ordered, That a committee of Enrolments on the part of the Senate, be appointed; and a committee was appointed, consisting of Messrs. Murrell, Carter and Bush.

Ordered, That Mr. Murrell inform the House of Representatives thereof.

The Speaker laid before the Senate, a memorial of the President, Directors and Stockholders of the old Bank of Kentucky, praying that a law may pass allowing further time to close the concerns of said Bank.

Which was received, read and laid on the table.

On motion of Mr. Guthrie, leave was given to bring in a bill to continue in force an act, entitled, an act concerning the Bank of Kentucky, and Messrs. Guthrie, Willis and Thornton, were appointed a committee to prepare and bring in the same.

Mr. Guthrie from the said committee, reported the said bill, which was read the first time, and ordered to be read the second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Wingate—1. A bill to fix the ratio and apportion the representation for the ensuing four years.

On motion of Mr. McHenry—2. A bill to take the sense of the people of this Commonwealth, as to the propriety and expediency of calling a convention.

On motion of Mr. Roberts—3. A bill concerning the number of justices of the peace and constables in the county of Hardin, and for other purposes.

On the motion of Mr. Guthrie—4. A bill to allow the independent Banks of this Commonwealth, further time to collect and settle their concerns.

On the motion of Mr. McHenry—5. A bill to enlarge the constable's district for the town of Monticello.

And on the motion of Mr. Daviess—6. A bill to authorize the Nicholasville, Harrodsburg, and Perryville turnpike road company, to build a bridge across the Kentucky river.

Messrs. Wingate, James, Harreld, Grider, Willis, S. Young, Boyd, Daviess, Bramlette, Miller, Hanson, Metcalfe and Morgan, were appointed a committee to prepare and bring in the first; Messrs. McHenry, Willis and Daviess, the second; Messrs. Roberts, Daviess and Grider, the third; Messrs. Guthrie, Hanson and Metcalfe, the fourth; Messrs. McHenry, Bramlette, and Roberts, the fifth; and Messrs. Daviess, Willis, Wingate and Metcalfe, the sixth.

1. Mr. Roberts presented the petition of Sarah Crutcher, praying for a divorce from her husband James W. Crutcher.

2. Also, the petition of sundry citizens of Hardin county, pray-

ing that a law may pass, establishing an election precinct in said county.

3. And Mr. Watkins presented the petition of Margaret Haydon, praying a divorce from her husband James Haydon.

Which petitions were received, and referred; the first to a committee of Messrs. Roberts, Willis and Daviess; the second to a committee of Messrs. Roberts, Guthrie and Willis; and the third to a committee of Messrs. Watkins, Morgan, Boyd and Roberts.

On the motion of Mr. McHenry,

Ordered, That the public printer print one hundred and fifty copies of the rules of the Senate, for the use of the General Assembly.

A message was received from the House of Representatives, announcing the passage of a bill which originated in the Senate, entitled, an act to continue in force an act, entitled an act concerning the Bank of Kentucky.

A message in writing was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State.

The rule of the Senate having been dispensed with, the said message was taken up, and read, as follows, viz:

*Fellow Citizens of the Senate,
and House of Representatives:*

In calling you together a few days sooner than the period fixed by law for your annual meeting, I was impelled by a desire to prevent the loss which would result to the commonwealth and to the stockholders by the termination of the corporate powers and privileges of the first Bank of Kentucky. Those powers and privileges, except for your interposition, will cease by lapse of time after the thirty-first of the present month; and should such an event happen, just doubts are entertained whether they could be revived by an act of legislation, so as to enable the Bank to collect the large amount of debt still due to it. The interest of the state in that institution, amounts to about thirty-five thousand dollars—that of individuals to a much greater sum; and considering the amount and importance of those interests, it was supposed that no difference of opinion would exist as to the propriety of continuing its functions, such a reasonable length of time, as would afford an opportunity for the closing of its concerns without sacrifice to the stockholders.

If the time for legislative action should be too limited for the maturity of a plan necessary for that purpose, I would recommend a resort to a temporary law, to expire during the session, at a period sufficiently protracted, to enable you to adjust the details of some final measure, with

such caution and deliberation as will adapt it satisfactorily to the legislative will and judgment.

Before I proceed to solicit your attention to the topics which will be presented to you in this communication, I avail myself of the occasion to congratulate you on the unexampled prosperity of the commonwealth, and to express in the most solemn manner, in the name of the people of Kentucky, our thankful acknowledgments to the Sovereign Ruler of the Universe, for the bountiful dispensations of His providence and care. With the exception of those occasional visitations of that relentless epidemic, which sweeps, like a pestilence, whole communities before it, the general health of the country has been good. Favored with a soil and climate, adapted to almost every variety of production, our fellow citizens have found during the past year, ample rewards for all the proceeds of their labor; and so strong are the encouragements offered to successful industry, in the daily increasing facilities of commercial intercourse, and the high prices realized for our exports in the neighboring markets, that a generous ambition every where prevails to enter the lists of competition with our sister states, in those great enterprises which are calculated to awaken and expand our domestic resources, to facilitate our access to distant markets, to strengthen the ties of the Union, and to advance the wealth, the happiness, and the glory of our common country. You are not unaware, that at this peculiar crisis, the eyes of our constituents are directed, with anxious solicitude, to us who have charge of the public welfare; and I hope I may be permitted to add, that from you, as their organs and representatives, much is expected, and that in your wisdom, watchfulness, and fidelity, great confidence is reposed.

The policy adopted by the last legislature, of a general system of Internal Improvement, was the result no less of an enlightened public spirit, than of just and enlarged views of the wants and interests of the state. The cordial approbation with which it has been received by the people, furnishes the gratifying assurance of their cheerful concurrence in every measure which proposes the aggrandizement of the commonwealth and the welfare of its citizens. The geographical position and the commanding natural resources of Kentucky, seemed to leave to her politicians and statesmen no excuse for timidity or indifference in the great business of improving her internal condition. If the exportation of our surplus products was necessary to our prosperity—inasmuch as every portion of the state was not furnished with natural channels of communication—it could not long remain a problem whether the people would require of their lawgivers to create facilities which nature had

denied to them. Here, within our own borders, were to be found in profuse abundance, the elements of individual wealth and political greatness. But they were to be developed and expanded. An interior state, surrounded by active and flourishing communities, themselves engaged in the construction of great commercial highways, we also required artificial outlets to market and facilities of intercommunication, if we would compete successfully with our enterprising neighbors.

The work of improvement has been commenced under the most favorable auspices, and I offer you my congratulations on the prospects that are now opening upon us. In surveying the consequences to result from the prosecution of the system, the first consideration that presents itself is, that an identity of interest and of feeling will not fail to spring from the connexion of the various parts of the state with each other, when a general diffusion of the means of social and commercial intercourse shall have taken place. To promote that identity of interest and feeling, is one of the first of our political duties. It cannot be doubted that those conflicts of local interest which have been witnessed for years in our state legislation, have had the effect to foster sectional jealousies and prejudices, unfriendly to the general welfare. The energies of a state are never more successfully exerted, than when they are propelled by the concentrated force of public opinion to the attainment of some great design. It is therefore of the utmost consequence, that a spirit of union, of harmony and conciliation should be cherished among our fellow-citizens and characterize our legislative councils; and to accomplish that object nothing is more efficacious than a liberal policy which, by harmonizing the interests of the several parts, will conduce to the welfare of the whole. Another peculiar merit of a general plan of improvement is, that it includes within the range of its benefits every section of our territory. The near—the intermediate—the remote—all are alike embraced; and still another is, that it tends to equalize the condition of the people by creating common avenues to enterprise and adventure—and by a free dissemination of commercial advantages, whereby the markets of the country are rendered available to all.

Considerations like these would seem to be sufficient of themselves to recommend it, if any recommendation were necessary, to the continued confidence and support of an enlightened community. But they are not all. Abundant as are the resources of Kentucky, whether we regard her agricultural or mineral wealth, her commerce or her manufactures, and however high may be her claims to present prosperity, the action of the system of Internal Improvement upon her subsisting in-

terest will contribute to their speedy maturity and almost indefinite expansion, -while in those portions of the state, where capital is limited, where population is sparse, where commercial facilities are rare, and where accordingly few inducements exist to more than ordinary industry and enterprize, the commencement of a new era will be recognized, the importance of which will be felt in the development of their slumbering energies and resources; in the vigorous impulse that will be given to industrious pursuits, and in the necessary tendency of those pursuits to the multiplication of the conveniences of life, and the acquisition of wealth. The salutary operations of the system have already been exemplified, wherever the benefits of good roads have been extended, by the enlargement of trade, the vast increase and celerity of transportation and travel, the enhanced value of real estate, and a corresponding accession to the public revenue. These facts, when we consider how very partially those benefits have been thus far diffused, owing to the limited extent to which improvements have been carried, will serve to animate our zeal, and strengthen our confidence in the entire success and universal acceptance of the system,—while the slightest reference to what remains to be done, will convince us all, that a wide and inviting field of public usefulness lies open before us.

The charters of the turnpike companies contain no provisions requiring the progress of the works to be reported to this department. I am unable, therefore, to communicate any exact official information concerning the most of them. Several important roads, however, have during the year been put under contract, and the business of improvement has been steadily progressive. The road from the city of Louisville to Bardstown is nearly completed; and great credit is due to the enterprizing President and Managers of that Company, for the energy and zeal with which the work has been carried on. On the line of road from Frankfort, through Lawrenceburg, Harrodsburg and Stanford, to the Crab Orchard, the Boards of Internal Improvement in the respective counties, have been actively engaged: six miles and a half of the road have been finished in Anderson; about twenty miles have been put under contract in Mercer, and a great portion in Lincoln. I regret that no successful movement has yet been made to take the stock for that portion of the road which lies in Franklin. From the characteristic public spirit of the citizens of that county, much is expected, and I flatter myself that another year will not be permitted to elapse, before the subscription is taken. The road is in progress from Lexington through Nicholasville, Danville and Lancaster in the direction of the Crab Orchard, and the first twelve miles is completed and put

in use. That portion which has been completed has been constructed in the best manner, and is an admirable specimen. The roads from Lexington to Georgetown, and from the same city to Winchester, are entirely under contract, and it is expected will be ready for use during the coming year. The company who have charge of the road from Lexington to Richmond, have, I believe, not deemed it necessary to do more for the present season, than to have the proper surveys executed. But the stock has been taken, and there can be no doubt, that biddings for the contracts will be opened during the present winter, or early in the spring; from Frankfort to Georgetown, and from Frankfort to Versailles, both roads are in progress, the former with commendable diligence; but the prosecution of the latter, which would probably have been finished in the month of October last, was materially interrupted by the ravages of the cholera in Versailles during the summer. The stock has been subscribed for a road from Augusta through Cynthiana to Georgetown, and the company will commence its operations at the commencement of the next season. From Louisville to Elizabeth by the mouth of Salt River, a portion of each extremity of the road has been contracted for, and of that part adjacent to Louisville, several miles have either been constructed or will shortly be. In connexion with the latter road, a subscription has been taken, under the amended charter of the last session, for twenty miles of turnpike—ten in each direction from Bowlinggreen. The company has been regularly organized, but no application has yet been made for the state's subscription. Early measures, will, without doubt, be adopted for the commencement of the work; and inasmuch as it is parcel of the great leading route from Maysville to Louisville, and from the latter city to Nashville, the example, it is confidently believed, will not be without its influence in superinducing other movements of a like kind, as connecting links of the same important highway. A road has also been undertaken from Nicholasville to Perryville through Harrodsburg, and the greater portion of the stock has been subscribed. From Perryville it is believed, it will be continued through Washington county and Lebanon, to intersect the main road from Louisville to the Tennessee line,—or it may be the interest of the citizens of Green and Barren, to give it a lateral direction, while the more direct route to some convenient point of intersection with that from Louisville, will still be left open to the enterprise and munificence of those whose interests would be effected by its diversion. Turning our attention to the north-eastwardly part of the state, a company has been formed to make a road from Owingsville in Bath county, to the great Sandy River, to connect with the Virginia

Turnpike. Owing to the absence of the proper material and the consequent impracticability of constructing a McAdam turnpike, it is proposed to grade the road to a level of from two to three degrees, and elevate the centre of the grade, with such an inclination on either side as will prevent the water from standing on it. The intermixture of sand and gravel with the soil, over which a great part of the road will pass will furnish an excellent substitute for the stone material. Such a plan, although certainly liable to some objections, is nevertheless the only one that can be resorted to in many counties in the state, and is, therefore, adopted from necessity. That necessity will no doubt commend it to your favorable consideration. In some of the counties alluded to, and especially in the county of Daviess, where there is the same dearth of stone, the experiment has been made with entire success. The requisite amount of stock has been taken by individuals for a road from Bardstown to Springfield, in Washington county, and the contracts for commencing it will be let as soon as the necessary surveys can be made, and the route selected.

In submitting the preceding rapid, and in many respects, imperfect view of the progress of our improvements, I flatter myself you will participate with me in the enjoyment which so gratifying an exhibition of the public spirit of our fellow citizens affords. But however gratifying, it is only a partial exhibition. From the contemplation of examples so full of encouragement and expectation; so replete with the most beneficial results to the whole length and breadth of the commonwealth; so consonant with the character of the people whose confidence it is our highest honor to share, your attention will be powerfully attracted by other movements of so high an order, as to entitle them to be classed with the most extraordinary conceptions of this extraordinary age.

In my last annual communication I took occasion to allude to the project of a Rail Road, then only in its inception, which was designed to connect Nashville, in Tennessee, with the city of New Orleans; and to remark on the entire inutility of speculating upon the probable accomplishment of such astonishing enterprizes. Since that time, speculation and surmise have been put to rest. The intended road has been surveyed either in whole or in part; a portion of it has been placed under contract, and little doubt exists, that it will be prosecuted with the energy, as it will be sustained by the capital, necessary to command success.

Another scheme no less imposing, and presenting considerations of even greater magnitude to Kentucky, is now proposed, to unite the

Ohio river with the Atlantic Ocean, by a Rail Road of seven hundred miles in extent, terminating at the city of Charleston in South Carolina; and from the manifestations of public favor with which it has been received, flattering assurances are deduced of the earnest and decided concurrence of the states through which it will pass in its immediate construction. In every aspect in which these subjects can be regarded, it has been deemed proper that your early attention should be called to them. A moment's reflection cannot fail to satisfy the most inattentive observer, of the vast and abiding stake which the citizens of Kentucky, of the whole West and South, and of the nation at large, have in the completion of those interesting projects. Viewed as channels of commerce and of intercommunication between the states, the most sanguine calculations must fall short of the reality, in estimating the amount of pecuniary interest involved by them: viewed in connexion with the future grandeur of our state, they challenge our hearty cooperation; and when we regard their influence on the permanence of our institutions, on the safety, the repose, and the perpetuity of the union, we feel ourselves by one spontaneous impulse, discarding names and distinctions derived from local or geographical positions—surmounting every consideration of pecuniary benefit, and preparing to take part in their accomplishment with the ardor and the patriotism of American citizens. The policy of uniting the various parts of our widely extended confederacy, by ties of social and commercial intercourse indissoluble as the elements of which they consist, is manifestly important to all the purposes of international wealth and prosperity: but its importance becomes at once conspicuous and inestimable, from its connexion with the higher object of preserving the integrity of its parts. Of all calamities which threaten or can befall our country, it is a conceded point, that national dismemberment is the most dreadful in anticipation, as it would be unquestionably, the most fatal in its effects. While the means of averting it are under our control, not to avail ourselves of them, would be to prove that we are faithless to the highest and most sacred of political obligations, to the memory of our ancestors, to the interests of posterity, and to the great cause of human liberty throughout the earth.

The part which it would be most proper for the people of Kentucky to take in the prosecution of these great works, it would, perhaps, be premature at this crisis to anticipate. I do not, therefore, deem it necessary to recommend any specific action. But in reference to the road from the Ohio river to Charleston, a convention of delegates has been proposed, and will meet, at some eligible point convenient to all the

states interested, some time in the spring; and in that convention it is manifestly important that the interests of Kentucky should be represented.

While such works are in contemplation, intended to unite us with other states, it is gratifying to observe that our citizens are alive to the importance of similar enterprizes within our own borders. I derive much pleasure from having it in my power to inform you, that a company of public spirited citizens south of Green river, has been formed to construct a Rail Road from Russellville through Elkton and Hopkinsville, to some eligible point on the Ohio or Mississippi river, and that surveys of several routes have either been completed or undertaken. A road of the same kind is also proposed from Russellville to the Tennessee line, in the direction to Clarksville, and some incipient movements have been made to obtain subscriptions of stock. The commencement of works, so comprehensive in their design, in a section of the state so remote from the seat of its early settlement, cannot be regarded with indifference by any portion of the community, and indicating, as they do, the growing importance of that section in wealth, enterprize, and population, they will receive, I am confident, at your hands, such encouragement as you may deem it consistent with your views of good policy to bestow.

I have received no report from the President of the Lexington and Ohio Rail Road Company of the progress of that road during the present year. It has been brought into the town of Frankfort, since my last address to the legislature, and the survey has been executed of the intended route to the city of Louisville. I understand that the company design proceeding with the remainder of the road without delay.

The report from the Board of Internal Improvement, which will, in due time be laid before you, will apprise you of its operations during the past year. The surveys and examinations of the several rivers which have been made under its direction, have not only confirmed all preconceived opinions favorable to the plan of slack water improvement, but they have resulted, also, in disclosing the abundance of the regions watered by them, in iron, salt, coal and lumber. The wealth of our mountains, and the counties adjacent to them, in those invaluable articles, is an object of the deepest interest to a legislative body, anxious to contribute to the prosperity of the state, by unfolding all its resources of production and trade. Deprived by the operation of natural causes, of the benefits of commercial intercourse with other parts of the state, except when occasional freshets in the rivers furnish them with outlets, the citizens of the counties bordering on the mountains have labored un-

der great difficulties, not only because few inducements could be presented to immigration and settlement, but because, also, their labor and industry do not receive that sure and sufficient reward which elsewhere awaits both, in the ready transmission and sale of their surplus products

In pressing, therefore, upon your notice, in the most earnest manner, the wants and the interests of the remote and exterior counties, I am led to do so, not alone from considerations relative to their peculiar condition; but from a deep conviction, that while you relieve and assist them, you will confer benefits upon other parts of the community, by throwing into the markets the abundant resources of their soil and industry—satisfying the demands of those markets now supplied by other states, with domestic productions, of daily consumption and immense value, cheapened by competition.

In view of such useful results, the appropriations to the Kentucky, the Sandy, the Licking, the Rockcastle and Cumberland rivers will be found to have been dictated by motives of sound policy, and will receive, I do not doubt, your decided approbation.

The importance of the navigation of the Kentucky river to the whole region of country tributary to it, requires no delineation from me. As the only channel of water communication with the Ohio, for a distance of more than four hundred miles, the benefits to result from such an improvement of its navigation, as will render it navigable, in all future time, every season of the year, may be pronounced, in one word, to be incalculable. Placed by the legislature in a position of great responsibility, as a member of the Board of Internal Improvement, I have deemed it incumbent on me to acquaint myself, by resorting to every available source of information, with the most efficient and successful mode of subserving the legislative intention, in the appropriation to the Kentucky river, proposed by the law for Internal Improvement. The result has been, and I submit the opinion with great confidence to the test of your better judgments, that that river is susceptible of being made perpetually navigable by locks and dams, for steam boats of at least one hundred tons burthen, from its junction with the Ohio, to the mouth of the South fork, a distance of two hundred and fifty miles. If I should be supported by you in this opinion, after you have examined all the facts and estimates which will be presented by the principal engineer in his report, you will not fail to come to the conclusion, that a work of such magnitude and extent, tributary to so many leading and valuable interests, and involving so many considerations of great public utility, has never been accomplished at so small a comparative cost. In the full reliance that such will be your conclusion, I would

advise that the necessary preparations be made for placing the work under contract, from the mouth of the Kentucky river to Frankfort, as early in the ensuing season as may be practicable.

Differing from the Kentucky in many of its prominent characteristics, the Sandy river is not supposed either to require or to be susceptible of the same species of improvement. From the report of the assistant engineer, founded on a close and accurate examination, it will be discovered that the obstacles to its navigation can be removed, at a cost less than has been generally estimated, so as to afford a safe navigation seven months in the year from the mouth of the main river, to Pikeville on the West fork, a distance of one hundred and ten miles. A just solicitude is felt by the citizens of the counties in the vicinity of that noble river, to avail themselves of the advantages to be derived from its improvement. The ample resources of the country dependent upon it, and the enterprizing spirit of the people, the impracticability of profiting from the former, in the present unimproved condition of the river, and the consequent discouragements to the efficient display of the latter, give them high and imposing claims upon the munificence of the legislature, which, I trust, will not be disappointed.

The report of the United States' engineer, who made the survey of the Cumberland river, will be submitted to you, from which you will discover that the condition on which the appropriation was made to depend for the improvement of that river, has been complied with. Great advantage, I understand, has attended the judicious application of the appropriations heretofore made to it, and the interests of the people in that quarter will be greatly promoted by the additional expenditure proposed by the law of the last session of the legislature.

The report of the principal engineer of his examination of the Rockcastle river, will put you in possession of his views of the most salutary and efficient method of removing the impediments to its navigation. To that I refer you. Considering the deprivation of commercial facilities to which the citizens of the counties bordering on that river are subjected, they present highly meritorious claims to your protection and patronage, which, I am persuaded, will be fully respected.

In compliance with a resolution of the last general assembly, I appointed a joint committee of six members of the present House of Representatives and three of the Senate, to visit and examine the public works now on Green river. The uncommon floods of the season, affording so few intervals of employment to the contractors, materially retarded the progress of the works: and at the request of the President of the board of commissioners, who was anxious that they should be

examined at the time of their greatest forwardness, I delayed the selection of the committee, to as late a period as practicable before the meeting of the legislature. Two of the committee met at the Falls of Vienna on Monday the 7th of the present month, and were subsequently joined by such of the remainder who found it convenient to attend. Their report will doubtless be laid before you at an early day in the session. In the meantime I take leave to say, as the result of my own personal enquiry and observation, that all practicable diligence has been used by the contractors to expedite the works. The necessary materials of timber and stone were on the spot early in the spring, and the failure to complete the lock and dam at Vienna, the present year, is attributable to unavoidable causes. A year more remarkable for the frequency of its freshets, and the continuance of high water, is not within the recollection of the oldest settlers on the river. The vigilance and intelligence of the commissioners, the experience and workmanship of the contractors, and the fine quality of the materials, which were inspected by the committee, give satisfactory assurance that the works will be executed in a style of taste as well as durability, inferior to none of the same kind in the United States. Presenting a fall of less than fifty feet in the distance of near two hundred miles, and flowing a volume of water, at its ordinary stages, of more than twenty-eight thousand cubic feet per minute, few rivers on the continent are so well adapted to slack water improvement as Green river: and when it is considered, that, inclusive of its tributaries, more than two hundred and fifty miles of constant navigation can be produced, costing less than one thousand dollars a mile, the expediency of continuing the legislative patronage will scarcely be called in question. I would therefore recommend, that the board of commissioners be authorized to put under contract two additional locks and dams on Green river, and one on Barren, as soon as it can be conveniently done. I abstain from any comments on the undeniable importance of the proposed movements to the people concerned in them. The slightest glance at the map of the country, contiguous to Green and Barren rivers, will furnish evidence of the wide spread benefits which must flow from the permanent improvement of their navigation.

The examination of the Licking river was prevented by the engagements of the engineers on the Kentucky, until the season, suitable for a survey, was too far advanced to permit it to be done to advantage. The postponement of it till the next year, when it will assuredly be made, will, it is hoped, be attended with no serious inconvenience. In the mean time, I must be permitted to express the confidence I entertain

that its navigation is susceptible of ameliorations of the same kind, with the other principal rivers of the state.

Soon after the adjournment of the last legislature, my attention was directed to the performance of the trust reposed in me, of making sale of the bonds or scrip for Internal Improvements. I sold to the Bank of Kentucky one hundred thousand dollars of the bonds at par, the bank opening an interest account with the state, which amounted to a deduction of interest on the amount of moneys undrawn. And shortly afterwards, I appointed an agent on behalf of the state, with power to negotiate the sale of the remaining one hundred thousand dollars, authorized to be expended during the year, in the eastern markets. He succeeded in disposing of them, much to my satisfaction, at a premium of three dollars and ten cents on every hundred dollars, amounting to the sum of three thousand, one hundred dollars on the amount sold by him. The whole was deposited to the credit of the treasurer of the commonwealth, subject to the disposal of the Board of Internal Improvement.

I deem it my duty to invite your attention to a careful revision of the law for the Internal Improvement of the state. Although the general principles and provisions of the law have met with the most encouraging acceptance, yet the restrictions which it imposes on the powers of the board in the subscriptions of stock can, perhaps, be relaxed or taken away without any detriment to the public interests. Those restrictions have already been attended with some inconvenience and complaint, and may have the effect to check the progress of important works, in some instances, after they have been commenced, and in others, when they have been prosecuted almost to completion. Other modifications will no doubt occur to you, in the details of the law, calculated to impart a due degree of efficiency to a system, which, considering its permanence and importance, cannot be too attentively matured.

While the view I am enabled to present of the public finances, is strongly indicative of the increased and increasing resources of the commonwealth, it will at the same time exhibit the necessity of relieving the treasury of those extraordinary disbursements which have hitherto hung so heavily upon it, and which can with great propriety now be transferred to other distinct funds. The receipts into the treasury from all sources during the year ending on the 10th October last, amounted to one hundred and ninety-one thousand four hundred and fifty-one dollars, eleven cents; and the expenditures for the same period, to the sum of two hundred and sixteen thousand, one hundred dollars, forty-five cents. In the latter sum, are included forty-four thousand, sixty-six dollars, ninety cents, advanced for the purposes of Internal Improvement,

and fifty-four thousand, nine hundred and fifty six dollars twelve cents, for other extraordinary appropriations made by the legislatures of eighteen hundred and thirty-three, and eighteen hundred and thirty-four. If those latter sums, amounting together to ninety-nine thousand, twenty-three dollars, two cents, are taken from the aggregate expenditures of the year, there would remain the sum of one hundred and seventeen thousand, seventy-seven dollars, forty-three cents, being the whole amount of ordinary disbursements for the support of the government. Deducting the latter sum from the amount of receipts into the treasury, exclusive of that portion of them appropriated by law, to purposes of Internal Improvement, there would remain a balance in favor of receipts of forty-seven thousand eight hundred and fifty-three dollars forty-three cents.

But a still more interesting fact remains to be adverted to. For the year ending on the tenth October, eighteen hundred and thirty-four, the revenue from taxation collected by the sheriffs, amounted to seventy-four thousand, one hundred and nineteen dollars, ninety-three cents; while at the expiration of the year ending on the tenth October last, the same revenue amounted to one hundred and twenty-four thousand, nine hundred and forty-four dollars, twenty-four cents, showing an increase in the revenue derived from taxation in one year, of fifty thousand, eight hundred and twenty-four dollars, thirty-one cents.

The condition of the penitentiary continues to be prosperous. The improvements which have been made by the agent, during the present year, in the completion of the new buildings and the enlargement of the machinery, have imparted additional comfort and convenience to the interior of the prison, and great facilities to its employments. The increase in the number of convicts, in the last twelve months, suggests the propriety of adding to the number of the cells. Of the latter there are but one hundred, while the inmates of the prison now number one hundred and sixteen. I cannot withhold, on the present occasion, the expression of my undiminished confidence in the vigilance and care with which the interests of the institution are conducted, and my approbation of the tenderness and humanity with which the unfortunate beings who inhabit it, are habitually treated.

The report of the President of the Bank of the Commonwealth, which will be submitted to you, will exhibit the present condition of that institution. You are not unapprized of the difficulties which have arisen in the closing of its concerns, produced by the unusual number of contested suits, growing out of the alleged unconstitutionality of its charter. That question, so often decided affirmatively, by our court of ap-

peals, is still pending before the supreme court of the United States, and it is expected, will be determined by that tribunal as soon as the existing vacancies on the bench are supplied. During the year now closing the sum of sixty-three thousand five hundred dollars has been destroyed by burning, leaving unredeemed only thirty-six thousand five hundred dollars, a large part of which it may be supposed will never be offered for redemption.

The subject of education is of such vital importance, whether we regard its influence upon the condition of individuals or the government, as to demand its full share of attention in a communication like this. Impressed with the most thorough convictions of its excelling interest, I cannot withhold my regret, that in the midst of the general prosperity, derived from the abundance of our physical resources, feeble and divided efforts only are made, to diffuse its blessings and advantages throughout the community, and that no practicable plan for that purpose has yet been adopted. In presenting the subject, again, to the enlightened consideration of the assembled representatives of the people, although I acknowledge my distrust of the sufficiency of any specific suggestions of my own, I am far from admitting, that to *their* wisdom and intelligence, our constituents may not be indebted for a system of common education, which would confer imperishable honor on them, and imperishable benefits on the country. While with a laudable public spirit, we expend millions in the physical improvement of the state, in developing its energies and augmenting its wealth, is it to be forgotten, that the political influence which is thus derived is of subordinate importance, when unattended with a moral influence which gives it so much weight and consequence? Shall we forget that the *mind* of the country is a portion of that moral influence,—the true power which wields its destinies—and that *that* power becomes formidable, *only* when it is *not* directed by sufficient intelligence? Or shall we forget that in a republic, the sovereignty is in the people, and that it will cease to be secure, when it ceases to be enlightened? The truths, which the necessary answers to these questions imply, are too plain and familiar to require illustration—and I shall content myself with the most earnest commendation of the object referred to, to your care and attention, promising to afford every facility in my power, to its full accomplishment.

In my address to the legislature at the commencement of the last session, I deemed it my duty to advert at some length to the interesting relation that subsists between the judicial department and the people, and to the necessity of so adjusting the system as to secure on the bench the most competent qualifications. To enlarge, in this place, on the

same subject, would be to reiterate the views then suggested, the propriety of which I have since had no reason to doubt. Every day's experience serves to convince us of the value that is justly attached to an enlightened judiciary; and brought as it is into immediate contact with the most invaluable rights and interests of the citizen, the propriety of securing the great object alluded to, by any necessary ameliorations of the present system, is submitted, as it legitimately belongs, to you as the organs of the public will.

My attention has of late been drawn to a donation of rare and valuable books, which were made several years ago, by the English government to Transylvania University, consisting of seventy-four folio volumes. Among them are included the statutes of the realm in twelve volumes, and the celebrated Domesday Book in four volumes, containing a survey of all the lands of England, made under the direction of William the Conqueror. It has been represented to me, that this present, although made to the only literary institution under the charge of the state, has, by some casualty, never been publicly acknowledged. As a literary acquisition, it is peculiarly interesting; and as a proof of the comity of the nation from which it came, it is entitled to a respectful acknowledgment.

By a resolution of the last General Assembly, it was made my duty to cause "a tombstone to be erected, with suitable inscriptions, to the memory of the late Governor Breathitt". The duty has been in part discharged. A portion of the materials has been transmitted to the county where his remains were deposited; and the remainder, which has been detained for the completion of the inscription, will be forwarded without any unnecessary delay. In the performance of a service appertaining to my public station, it has been gratifying to my feelings to be made the personal instrument of rendering such a tribute of public respect to the memory of so much worth and virtue.

Those humane institutions—the Deaf and Dumb Asylum at Danville, the Lunatic Asylum at Lexington, and the Cumberland Hospital at Smithland, will continue, I trust, to receive your fostering care and patronage.

The commissioners appointed to receive subscriptions of stock in the Northern Bank of Kentucky, having notified me that ten thousand shares of the capital stock thereof had been taken by individuals, companies and corporations, I subscribed on behalf of the commonwealth for ten thousand shares, as directed by the thirty-fifth section of the act of incorporation. The Bank has since that time commenced operations.

In disposing of the scrip authorized to be issued for the payment of the state's subscription, I was governed by what I regarded the expression of the legislative intention, as contained in the proviso of the beforementioned section of the charter; which was construed to be, that if a fair premium could be obtained for the bonds, they should not be executed to the Bank as payment for the stock subscribed; but that the premium should be realized. From the experiment which I had previously made, by the sale of a portion of the bonds for Internal Improvement, I became satisfied that such a premium could be obtained as would justify the sale. I declined therefore, in the exercise of the discretion confided to me, letting the bonds go at par in payment of the subscription, and ultimately effectuated a sale of them to the President and Directors of the Bank, on the following terms: binding themselves to put the bonds again into market, with a stipulation in the contract with the purchaser from them to pay the interest either in New York or Philadelphia, they assure to the state a certain premium of two per cent, equal to ten thousand dollars, to be deposited to the credit of the Treasurer on the first day of January, ensuing: if the bonds bring, on their sale of them, three and a half per cent premium, they are bound to pay to the state a premium on their part of two and a half per cent, equal to twelve thousand five hundred dollars, and if they succeed in obtaining a premium of four per cent, they will pay to the state an additional half per cent, making the whole premium in the latter event three per cent, equal to fifteen thousand dollars. The stronger probability is that the last mentioned sum will be realized.

The feelings of the nation have, of late, been awakened by the unauthorized movements of certain abolition societies, intended to disturb the institution of slavery in the slave-holding states. I do not propose, in this place, to argue the propriety or the impropriety of that institution, or of the relations which it creates. But we can admit no question of its inviolability so long as it is an acknowledged principle finding a guarantee for its security in our federative compact, and we must prepare ourselves to resist, from whatever quarter they may proceed, any assaults upon it. I am not informed that the incendiary efforts alluded to have extended to Kentucky, but whether they have or not, I think it proper to advise that the sense of the legislature should be distinctly expressed of these obnoxious and alarming movements, and that our statutory regulations upon the subject, should undergo your close examination, in order that if the rights and interests of our fellow citizens should be found to require any additional protection, that protection may be afforded.

These, fellow citizens, are the prominent matters, which occur to me as being necessary to be communicated at the present juncture. Your attention will, of course, be called to many other subjects within your own knowledge, suitable to your legislative action; and if any suggestions have been omitted by me, applicable to the interests of our constituents, I am consoled with the belief, that on your judgments and penetration, and your familiar acquaintance with those interests, the fullest reliance may be reposed, that every deficiency on my part, will be supplied by you.

It only remains for me to assure you of my anxious solicitude that the most prosperous results may ensue from your labors, and of my ready co-operation with you, in every effort to produce them.

J. T. MOREHEAD.

FRANKFORT, DEC. 28, 1835.

Ordered, That the Public Printer print fifteen hundred copies of the said message, for the use of the Senate.

And then the Senate adjourned.

TUESDAY, DECEMBER 29, 1835.

Mr. John Harreld, a member of Senate, from the counties of Butler, Grayson and Muhlenburg, appeared and took his seat.

Mr. Aaron K. Woolley, a member of the Senate, from the county of Fayette, appeared, produced a certificate of his election took the several oaths presented by the constitution of the United States, and the constitution and laws of this State, and took his seat.

1. Mr. Wingate presented the petition of Zelica Clow, praying for a divorce from her husband Pitman H. Clow.

2. Mr. Hanson presented the petition of Robert Clark and others, representing that in their opinion, the mill dam of Major and Samuel King, on the Kentucky river, is no obstruction to the navigation of said river; and praying that should the legislature deem it an obstruction, as it now is, that the said Major and Samuel King, may be permitted to fix a gate in said dam.

3. Mr. Morehead presented the petition of Thomas S. Slaughter, administrator of the estate of James C. Slaughter, deceased, and Richard W. Courts, administrator of the estate of William L. Sands, deceased, praying that a law may pass, authorizing them to convey a tract of land in Logan county, which belonged to the said James C. Slaughter and Sands, and to sell a negro man owned by the deceased.

4. Mr. Willis presented the petition of sundry citizens of Hart county, praying for the erection of an election precinct, in said county.

5. Mr. Thornton presented the petition of William Thornton and Judith P. Thornton his wife, and their children, praying that a law may pass, authorizing a sale of one slave deeded, and four slaves devised, by Anthony Thornton, deceased, in trust for the use of the said Judith and her children: and that the proceeds of the sale to be vested in a tract of land in the State of Illinois.

6. Mr. Willis presented the petition of sundry citizens of Green county, praying that the fines and forfeitures of said county may be appropriated to the use of the New Athens Seminary, in the town of Greensburg.

7. Mr. Boyd presented the petition of Mahulda Cropper, praying for a divorce from her husband Elisha Cropper.

8. Mr. Bramlette presented the petition of John Vining and Lucy Vining, praying that a law may pass authorizing the removal of certain slaves to the State of Alabama, which were devised to the said Lucy, and her infant son Lucian Wash, by Thomas Wash, deceased, the former husband of the said Lucy, and the father of the said Lucian; and

9. Mr. Bramlette presented the petition of the widow and heirs (some of whom, are under twenty-one years old,) of Thomas Wood, deceased, praying that a law may pass authorizing a sale of two tracts of land in Cumberland county, and five slaves; being a part of the estate of the said Thomas Wood, deceased.

Which petitions were severally received and referred, the first and seventh to the committee of Religion; the second to the committee of Internal Improvements; the third, fifth, eighth and ninth, to the committee of Courts of Justice; the fourth to a committee of Messrs. Willis, Daviess and Thornton; and the sixth to the committee of Education.

Mr. Guthrie, from the committee appointed for that purpose, reported a bill to allow the independent Banks of this Commonwealth further time to collect and settle their concerns.

Which was read the first time, and ordered to be read the second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hanson—1. A bill for the benefit of the Lexington and Winchester turnpike road company.

On the motion of Mr. Wingate—2. A bill to incorporate the Franklin Bridge Company.

On the motion of Mr. Morehead—3. A bill to legalize the proceedings of the Logan county court, holden on the first Monday in March 1835.

On the motion of Mr. Willis—4. A bill to change the time of holding the general court.

On the motion of Mr. Smith—5. A bill for the benefit of Alfred Owens and Calloway Mullens.

On the motion of Mr. Willis—6. A bill for the benefit of James Riddlesburger's heirs and representatives.

On the motion of Mr. Patterson—7. A bill to change the time of holding the Harrison county court.

On the motion of Mr. S. Young—8. A bill to incorporate a company to construct a turnpike road from Taylorsville to intersect the turnpike road from Louisville to Bardstown.

On the motion of Mr. Daviess—9. A bill to change the time of holding certain circuit courts.

On the motion of Mr. Morehead—10. A bill to amend the law in relation to the settlements with guardians, executors and administrators.

On the motion of Mr. Smith—11. A bill to change the time of the sitting of the General Assembly.

On the motion of Mr. Guthrie—12. A bill for the better confirmation of the titles of persons holding or claiming under conveyances from married women, and under conveyances not recorded in proper time.

And on the motion of Mr. Guthrie—13. A bill to amend the law as to proceedings against non-resident and absent defendants, and unknown heirs.

Messrs. Hanson, Woolley and Metcalfe, were appointed a committee to prepare and bring in the first; Messrs. Morehead, Jessup, Grider and Willis, the third; Messrs. Smith, McHenry, Willis and Gilbert, the fifth; Messrs. Patterson, Thornton, Bush and Willis, the seventh; Messrs. S. Young, Guthrie and Daviess, the eighth; Messrs. Daviess, Willis, Guthrie, Grider, Hanson and Wingate, the ninth; Messrs. Smith, Watkins, Thornton, McHenry and Boyd, the eleventh; the committee of Internal Improvements was directed to prepare and bring in the second, and the committee of Courts of Justice the fourth, sixth, tenth, twelfth and thirteenth.

On the motion of Mr. Wingate,

Resolved, That the Auditor of Public Accounts be directed to lay before the Senate a statement of the number of the voters in each of the counties and towns in this Commonwealth, as exhibited in the enumerations made by the commissioners of the revenue during the present year.

On the motion of Mr. Grider,

Resolved, That so much of the Governor's message as relates to the subject of internal improvements, be referred to the committee on Internal Improvements.

On the motion of Mr. Metcalfe,

Resolved, That so much of the Governor's message as relates to certain incendiary publications, on the subject of abolition, be referred to the committee on Courts of Justice.

Mr. McHenry read and laid on the table, the following resolutions, viz:

Whereas, the Commonwealth of Kentucky has, through and by her Representatives in the State Legislature, engaged in the great system of Internal Improvement. During the last two sessions there has been near one and a half million of dollars appropriated for the purpose of improving, beautifying and decorating the internal condition of our State. Our improvements are at this time rapidly progressing, and amongst the numerous great objects that have presented themselves to us for our consideration, is the Cumberland river. That large and important stream heads in the mountains in this State, in a region of country in which iron ore abounds of the richest quality, scattered in great profusion, accompanied with an inexhaustible quantity of stone coal, copperas, alum, and various other minerals of great value, with large quantities of lumber, such as pine and poplar timbers, plank, staves, shingles, hoop poles, tar, rosin, turpentine and lampblack, together with various other articles, and all the products of the country. These products, lumber and minerals, only require an outlet to market, to render them of immense value. At this time, however, owing to the great expense, danger and difficulty that those incur who transport them to market, large portions of them are now lying dormant in the earth and forest, and will forever remain so, unless the Cumberland river and its tributaries are so improved as to open an outlet to market, to the city of Nashville and its vicinity; this done, our forest would no longer be a desert, nor our river a solitude; all the riches of the mountains with all the products of the country would be landed at Nashville, and elsewhere in Tennessee, and sold at fair prices, for which we would take in exchange such articles as our country might need, which could be landed as high up the Cumberland river as Stygal's Ferry, in Pulaski county, in steam boats; however, we are proud to say that we have appropriated seventy thousand dollars for this great and important object, a part of which has already been expended, and the balance in all probability will be expended during the next summer, to improve said river and its tributary streams from the mouth of Laurel river to the Tennessee State line: Therefore,

Be it resolved, by the General Assembly of the Commonwealth

of Kentucky, That we do earnestly request the Legislature of the State of Tennessee, to appropriate a sufficient sum of money to improve the Cumberland river from the Tennessee State line to Nashville, agreeably to the plan laid down in a report made by the United States' engineers who surveyed said river.

Resolved further, That the Lieutenant and acting Governor be requested to transmit a copy of the foregoing preamble and resolution forthwith to the Governor of the State of Tennessee, with a request that he lay the same before the Legislature of that State for their consideration.

The rule of the Senate having been dispensed with, the said resolutions were taken up and referred to the committee of Internal Improvements.

And then the Senate adjourned.

WEDNESDAY, DECEMBER 30, 1835.

The Speaker laid before the Senate, the following report of the Receiver of public moneys for lands West of the Tennessee river, viz:

WAIDSBORO', DEC. 12, 1835.

To the Hon. Speaker of the Senate of the General Assembly of the Commonwealth of Kentucky.

SIR—In obedience to the 18th section of an act of the Legislature, entitled, an act for the Internal Improvement of the State of Kentucky, approved February 28, 1835, I respectfully submit the following report of moneys received at the Land Office, for lands sold West of the Tennessee river, during the first six months next succeeding the 15th January 1835, and also, the several amounts of money paid out to the treasurers of the respective boards of commissioners designated by said act, viz:

From the 18th day of December, 1834, (the date of my last report to the Auditor of Public Accounts,) till the 26th January, 1835, inclusive, there was no money received for the entry of lands at my office, the office being temporarily closed in consequence of my absence, while attending at Frankfort, during that time, to make my report and pay over moneys on hand to the Treasurer of the Commonwealth.

From 15th January 1835, to the 15th July 1835, inclusive; received for lands entered:

In Commonwealth's bank paper,	\$ 513 56+
In specie and United States' bank paper actually received,	26,669 66+
Advance of five per cent, allowed on the same, as per act of assembly; but which is never received; the full nominal amount being placed on the books,	1,333 48+
Total amount as appears on the books,	28,516 71
Amount of my per centage retained for the current year,	300 00
Nominal amount remaining for division among the several boards of commissioners, out of which the five per cent on the specie and United States Bank paper received, must be deducted,	28,216 71

No final or regular settlement has as yet been made between me and the treasurers of the several boards of commissioners, for the first sixth months next, succeeding the 15th January 1835.

I have however paid in specie and United States Bank paper, to the treasurer of the board of commissioners for Calloway county, the sum of

	\$5,990 00
To the treasurer of the board for Graves county,	4,600 00
To the treasurer of the board for Hickman county,	4,622 40
To the treasurer of the board for McCracken county,	7,582 00
	<hr/> 22,794 40

For all of which several sums of money, I have taken the receipts of the treasurers of the several boards, which are filed in my office.

Adding to this sum for the purpose of calculation, the five per cent advance, which I am directed to allow on specie and United States paper, which will amount to

1,139 72

23,934 12

Leaving in my hands, to be yet paid to said commissioners, the nominal amount of

4,282 59

From this last sum the five per cent advance on the specie and United States' paper on hand must be deducted, which will leave the real amount on hand, up to the 15th July 1835.

It will be observed that the treasurer of McCracken board, has overdrawn his share of the money received for the first six months. For the overplus he will be charged on a settlement for the next succeeding half year, which has not yet expired.

All of which is respectfully submitted, and which you will please lay before the house over which you have the honor to preside, and oblige your obedient servant,

EDMUND CURD,

Receiver of Public Moneys West of the Tennessee river.

By ANDREW SMITH, *Deputy Receiver.*

On motion, leave was given to the editors of the "Argus," and the "Commonwealth," to take seats in the Senate chamber, for the purpose of reporting the proceedings of the Senate.

A message was received from the House of Representatives, announcing that they had appointed a committee of Enrolments on their part.

Mr. Murrell from the joint committee of Enrolments, reported that the committee had examined an enrolled bill, entitled an act to continue in force an act concerning the Bank of Kentucky, and had found the same truly enrolled.

Whereupon the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

Soon after a message was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State, announcing that he had approved and signed the said bill.

Mr. Guthrie presented the petition of Mann Butler, representing that he has at much expense and trouble, collected a number of documents existing in no printed form, illustrating the discovery, purchase and settlement of Kentucky, that they embrace a series of State papers, and praying that the State will take such a number of copies of the work, as will cover the expenses of publication.

Which was received and referred to the committee of Education.

On the motion of Mr. Willis,

Leave was given to withdraw the petition of John T. Evans, for a divorce presented to the Senate, at the session of 1833.

A message in writing was received from the Lieutenant and acting Governor, by Mr. Cox, Assistant Secretary.

The rule of the Senate having been dispensed with, the said message was taken up, and read, as follows, viz:

Gentlemen of the Senate—

I nominate for your advice and consent, *R. F. Pulliam*, to be Sheriff of Allen county, vice *W. Hamm*, resigned.

J. T. MOREHEAND.

December 30, 1835.

Resolved, That the Senate advise and consent to the said appointment.

Ordered, That Mr. Grider inform the Lieutenant and acting Governor thereof.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Guthrie—1. A bill for the better confirmation of the estates of persons holding or claiming under conveyances from married women, and under conveyances not recorded in proper time.

By Mr. Guthrie—2. A bill to change the time of holding the general court.

By Mr. McHenry—3. A bill to take the sense of the people of this Commonwealth, as to the propriety and expediency of calling a convention.

By Mr. Watkins—4. A bill for the divorce of Margaret Haydon.

By Mr. Patterson—5. A bill to change the time of holding the Harrison county court.

By Mr. Hanson—6. A bill for the benefit of the Winchester and Lexington turnpike road company.

By Mr. Guthrie—7. A bill to amend the law as to proceedings against non-resident and absent defendants, and unknown heirs.

And by Mr. Roberts—8. A bill concerning the number of justices of the peace for Hardin county.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the first, second, fourth and sixth bills having been dispensed with, the first and seventh (the seventh having been amended) were committed to the committee of Courts of Justice; the fourth to the committee of Religion, and the sixth to the committee of Internal Improvements, and the second was ordered to be engrossed and read a third time to-morrow.

The rule of the Senate, constitutional provision, and second and

third readings of the fifth and eighth bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the public printer print one hundred and fifty copies of the first and seventh bills, for the use of the General Assembly.

Mr. Morehead read and laid on the table a joint resolution.

The rule of the Senate, having been dispensed with, the said resolution was taken up, amended and adopted, and is as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of three from the Senate, and six from the House of Representatives, be appointed to examine the situation of the public arms, and report by bill or otherwise.

On the motion of Mr. Daviess,

Resolved, That the committee on Courts of Justice be instructed to inquire into the propriety and expediency of appropriating by law the lands stricken off to the State for the non-payment of taxes, and that they report by bill or otherwise.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Thornton—1. A bill to provide for the service of process on coroners and sheriffs.

On the motion of Mr. McHenry—2. A bill to incorporate a company to turnpike a road from Stanford by way of Somerset and Monticello, to the Tennessee State line, in the direction to Huntsville.

On the motion of Mr. Parker—3. A bill to apply the fines and forfeitures of Mason county to lessening the county levy.

On the motion of Mr. Murrell—4. A bill for the benefit of Daniel Curd, surveyor of Barren county.

On the motion of Mr. McHenry—5. A bill to amend and extend the charter of the Bardstown and Green river turnpike road company, by the way of Greensburg, Columbia, Jamestown and Monticello, to the Tennessee State line in the direction to Knoxville.

On the motion of Mr. Roberts—6. A bill to repeal the laws establishing and regulating circuit courts in this Commonwealth.

And on the motion of Mr. Hanson—7. A bill for the benefit of John Owens, of Clarke county.

The committee of Courts of Justice was directed to prepare and bring in the first and sixth; Messrs. McHenry, Daviess, Smith and Bramlette, were appointed a committee to prepare and bring in the second; Messrs. Parker, Thornton and Morgan, the third;

Messrs. Murrell, Grider and Willis, the fourth; Messrs. McHenry, Willis, Guthrie and Grider, the fifth; and Messrs. Hanson, May and Wingate, the seventh.

On the motion of Mr. Roberts,

The committee to whom was referred the petition of Sarah Crutcher, was discharged from the further consideration of the said petition; and it was referred to the committee of Religion.

And then the Senate adjourned.

THURSDAY, DECEMBER 31, 1835.

Mr. Thomas James, a member of the Senate, from the counties of Hickman, Graves, Calloway and McCracken, and Mr. Matthew Lyon, a member of the Senate, from the counties of Caldwell, Livingston and Trigg, appeared and took their seats.

Mr. Guthrie, from the committee of Courts of Justice, reported a bill for the benefit of James Riddlesbarger's heirs and representatives.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Guthrie from the committee of Courts of Justice, to whom was referred the petition of Tho. S. Slaughter, administrator of the estate of the James C. Slaughter, deceased, and Richard W. Courts, administrator of the estate of William L. Sands, deceased, reported the following resolution thereon, viz:

Resolved, That the said petition *be rejected*; which was twice read and concurred in.

Mr. Guthrie, from the committee of Courts of Justice, reported a bill for the benefit of John and Lucy Vining.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The Speaker laid before the Senate, the annual report of the Keeper and Agent of the Penitentiary, which is as follows, viz:

OFFICE KENTUCKY PENITENTIARY, }
Frankfort, December 30th, 1835. }

WILLIAM B. BLACKBURN, Esq.

Speaker of the Senate.

SIR:—Please lay before the Senate, the enclosed Report, showing the condition of this Institution for the year ending Dec. 10th, 1835.

Respectfully,

Your ob't Servant,

THO. S. THEOBALD,

Ag't and Keeper Ky. Pen'ty.

Annual Report of the Agent and Keeper of the Kentucky Penitentiary.

On the recurrence of the period when it becomes my duty to present to the Legislature a view of the condition of this Institution, I have to state that during the past year its general affairs have advanced to a high degree of prosperity. In the successful administration of its internal discipline; in the increase of its manufacturing operations; and in the growing state of its finances, are to be found the evidences of the signal success which has followed the labors of the year.

On the 10th December, 1834, there were in confinement,

as per last Report	90
Received since that date	61

151

Discharged during the year

By expiration of sentence	24	
“ Executive pardon	6	
“ Death	4	
“ Escape	1	35

Leaving now in confinement

116

82871

<i>Crimes.</i>		<i>Education.</i>	
Felony	42	Superior	9
Horse-stealing	20	Ordinary	62
Larceny	10	None	45
Highway robbery	10		
Robbery	7		116
Burglary	7		
Counterfeiting	9		
Manslaughter	4	<i>Ages.</i>	
Stabbing	1	From 15 to 20 years	11
Kidnapping slaves	2	" 20 " 30 "	61
Mail Robbery	1	" 30 " 40 "	32
Bigamy	1	" 40 " 50 "	7
Rape	1	" 50 " 60 "	3
Forgery	1	" 60 " 70 "	1
		" 70 " 80 "	1
	116		116
<i>Nativity.</i>		<i>Nativity.</i>	
Kentucky	23	Massachusetts	2
Virginia	23	Maryland	2
Pennsylvania	16	Tennessee	2
New York	9	Georgia	2
Ohio	8	Alabama	1
N. Carolina	5	District Columbia	1
S. Carolina	2	Missouri	1
Connecticut	2	Rhode Island	1
	88		12
		Bro't over	88
Ireland	7		
England	3	Natives of U. States	100
Canada	2		
Norway	1		
Germany	1		
Holland	1		
France	1	Natives of foreign countries	14
	14		116

The workshops and buildings authorized to be erected within the walls by an act of the session before the last, have progressed nearly to a state of completion, and it is expected to complete them entire, as early as possible next spring. The account against the Commonwealth for their erection, forms a heavy portion of the debts created during the year in favor of the Penitentiary; but owing to their unfinished condition no very accurate estimate of the amount chargeable for those works can be arrived at; and I am constrained, therefore, to forbear attempting to

present any definite financial report. It will be deemed sufficient, however, I trust, to state that the pecuniary concerns of the institution were never in a more thriving situation; and I invite an examination of the books by a committee of your body. Although it has paid nothing into the Treasury this year, the State's share of its profits has neither lain idle or unproductive. On the contrary, the most judicious and beneficial direction has been given them. In their investment in the new buildings, the health, comfort and security of the prisoners has been combined with far greater means and facilities for the production of the articles of manufacture in which the labor of the convicts is employed, besides affording many new and important conveniences for the easy and successful application of the peculiar mode of discipline necessary to be enforced. The new work-shops are constructed with a view to the present and future operations and wants of the Institution. Built of the best materials, of spacious size, and on a model uniting utility with convenience, they are capable of admitting a large number of workmen, without being, as heretofore, crowded into a confined space; and of receiving a variety of useful, labor-saving machinery, designed to facilitate the production of manufactures, and give, at the same time, the most profitable direction to the labor of the convicts. Besides these work-shops, there are also connected with them, a large chapel, school-room, hospital and refectory; all of which have been greatly needed. Aside from the utility of these improvements, they have added vastly to the appearance of the interior of the prison. It presents now, rather the cheerful aspect of a thrifty manufacturing establishment, than the darkness and gloom of a prison; and I cannot but believe, that its mere appearance, contrasted with what it formerly was, has exerted, in some degree, a salutary influence on the minds and feelings of the prisoners. I flatter myself, that a committee, and the members generally of your body, will derive much pleasure in making a personal examination and survey of the improvements.

To claim, justly, for the state, high honor for its wise and beneficent policy, and for the Institution, the highest rank among those of similar nature, for its character both in the peculiar mode of its discipline and the utility and success of its operations, it needs only one more proof of the enlightened liberality of the Legislature:—or, to speak with more accuracy, it needs only for that body to carry out the wise policy already commenced. I allude to that policy which regards the separate confinement or solitary isolation of the prisoners at night. By an act, approved Jan'y 29, 1829, it is made the "duty of the keeper of the Penitentiary for all time thereafter, to cause the convicts to be locked up sepa-

rately in the cells of the Penitentiary during each night, and as far as practicable, prevent all conversation between them during the day." The number of cells now in the prison is but one hundred, while, it has been perceived, the number of convicts is one hundred and sixteen. It is at once manifest, therefore, that it is impossible to comply with the provision of law as to the separate confinement of the prisoners; and in stating this painful truth, I deem it my duty—in view of all the considerations and interests involved—earnestly to petition your body for prompt relief from this dangerous and subversive state of things, by authorizing the immediate erection of such an additional number of cells, as will enable me to meet the requisition of the aforecited law. By a reference to the number of prisoners in confinement, it will be perceived, that the number this year is twenty-eight per cent greater than that of the preceeding, and thirty-six per cent above the usually estimated average of former years. It is left to your discretion to decide whether this ratio of increase forms sufficient data to guide your deliberations as to the additional number of cells you may deem necessary for the wants of the Institution. It cannot, I think, be reasonably doubted, that this ratio will not diminish in future; while, in view of the ordinary progress of events, it is presumable it will rather advance; and I take leave to suggest, that whatever provision you may be pleased to make to meet the present exigence, ought to have regard as well to permanence of structure as to the future increase of prisoners.

The paragraph of the law above quoted, substantially contains the two great fundamental principles recognized in the government of all the prisons where intelligence and philanthropy have happily presided. They are those, in their application, fraught with the most beneficial results and blessings to the prisoners themselves, to say nothing of their other good effects—viz:—silence by day and solitary confinement by night; and to surrender these principles now, would be not only to yield advantages already gained, but to abandon all the well grounded hopes of the future. It is remarkable, that the law of 1829, recognizing these principles, authorized at the same time, the erection of a number of new cells sufficient to carry out and illustrate them; and I beg leave to remind you that they were again recognized at the last session of the Legislature, in the Report of the Committee on the Penitentiary, adopted by the House; and further, in a bill authorizing the improvements now prayed for, which passed the Senate but fell in the other House on the last day of the session for want of time to act on it. In view of these considerations, the acting Governor authorized the

erection of a sufficient number of new cells for the confinement of each prisoner separately, to obviate the dangerous necessity of confining two together. From two considerations, I have reluctantly delayed this most important work. Owing to the lateness of the season, it was impracticable to procure a supply of building materials; and besides, from the present structure of a portion of the cells, whatever improvements might now be added, would ultimately be lost. The subject is before you, therefore, in its present shape; and I cannot but hope you will promptly respond to the wants and calls of the Institution.

The mode of government now administered in the prison, cannot longer be regarded as merely one of experiment. The question, is, I think, forever settled. Its salutary operation during six years in this State, of longer periods in others, and with perfect success in all, attest its excellence and asserts the strongest claims to Legislative recognition and perpetuance. From being once a heavy annual tax upon the Treasury, it now yields a handsome annual revenue; from being once a dark abode of misery—physical and moral—where its wretched inmates were receiving deeper dyes of pollution from their mere contact with each other; it is now an Institution in every way creditable to the character of an enlightened and benevolent State; and its inmates far more comfortable in their physical condition, are washing out the stains of former guilt, by the influence of a steady system of moral teaching, tending to entire reformation, and fitting them to re-enter society.

During the year, large additions of useful and valuable machinery have been made, in view of increasing and facilitating the manufacturing operations. This measure was deemed indispensable, as the demand for articles greatly exceeded the means of supply; and with the exception of bagging and rope, which finds its market abroad, there is not a single article vended at any other point, than on the spot of its manufacture. There are now in successful operation, a corn mill, carding machine, iron and wood turning, variety of wood sawing, quilling, spinning, and other labor-saving machinery, propelled by a new and powerful steam engine; and the following branches of industry are steadily and successfully pursued—viz: wagon and coach making and trimming, bagging and rope making, blacksmithing, stone cutting, chair making and painting, saddle and harness making, shoe making, together with a variety of minor branches.

The health of the prisoners has been unusually good. Of the four who have died, three were far spent with pulmonary disease when received; the other was the only case of malignant fever; and I have to

remark, that no disease whatever, has appeared this year, attributable in the least degree to local position or prison discipline.

The moral reformation of many of the prisoners this year, has been as manifest as gratifying. Some who have been discharged, are now in the employ of gentlemen of high standing, for intelligence and piety, from whom I have received the most favorable representations, as to their good conduct and general behaviour. The constant labors of resident, and occasional services of passing ministers of the Gospel, of various persuasions, have doubtless, contributed greatly to those happy results; and, if, in bringing them about, a portion of merit may be justly claimed for the administration of the discipline and police of the prison, it ought to be placed to the credit of the Legislature, whose wisdom has devised and sanctioned, and whose liberality has upheld and sustained the system; and, in conclusion, I have only to express the hope, that your body will still contribute to the perpetuation of a system, which, by ameliorating the moral and physical condition of the prisoners, by tending to their ultimate reformation, by contributing to the security of society, and by adding to the revenue of the Treasury, illustrates the wise and benevolent policy of our State government.

I have, the honor to be,

Respectfully, your obedient servant,

THOMAS S. THEOBALDS,

Agt. and Keeper Ky. Penitentiary.

Ordered, That the said report be laid on the table, and that the public printer print one hundred and fifty copies thereof for the use of the General Assembly.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Smith—1. A bill for the benefit of Alfred Owens and Calloway Mullens.

By Mr. Smith—2. A bill to change the time of the meeting of the General Assembly.

By Mr. Morehead—3. A bill to legalize the proceedings of the county court of Logan, at their March term 1835.

By Mr. Murrell—4. A bill for the benefit of Daniel Curd, Surveyor of Barren county.

By Mr. Guthrie, from the committee of Courts of Justice—5. A bill providing for the service of process where the sheriff and coroner in the same county are parties to the same suit.

And by Mr. Hanson—6. A bill for the benefit of John Owens, of Clarke county.

The said bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the sixth bill having been dispensed with, it was referred to the committee of Religion.

The rule of the Senate, constitutional provision, and second and third readings of the first, third and fourth bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Southgate—1. A bill to incorporate a company to construct a turnpike road from the Ohio river, at McClure's landing, through the towns of Newport and Alexandria in Campbell county, to Cynthiana in Harrison county.

On the motion of Mr. Carter—2. A bill to amend the road law, approved 29th January 1830, so far as relates to Greenup county.

On the motion of Mr. S. Young—3. A bill to amend an act, entitled, an act to incorporate the Springfield and Bardstown turnpike road company.

On the motion of Mr. Grider—4. A bill to give further time to survey and carry into grant, the land warrants heretofore procured from the State, and to authorize the register to receive plats and surveys already made upon said warrants.

On the motion of Mr. Boyd—5. A bill to amend the charter of the Kentucky Baptist Education Society.

On the motion of Mr. Hanson—6. A bill to amend the law in relation to writs of *ad quod damnum*.

And on the motion of Mr. Hanson—7. A bill authorizing a subscription of stock on the part of the Commonwealth in the Kentucky Bank of Louisville.

Messrs. Southgate, Patterson and Hanson, were appointed a committee to prepare and bring in the first; Messrs. Carter, Watkins and Morgan, the second; Messrs. S. Young, Guthrie and Roberts, the third; Messrs. Boyd, Bush, Guthrie and Willis, the fifth; the committee of Courts of Justice was directed to prepare and bring in the fourth and sixth, and the committee of Finance the seventh.

On the motion of Mr. McHenry,

Resolved, That the committee on Military Affairs, be instructed to examine the militia laws of this Commonwealth, and that they be requested to report by bill or otherwise, any amendments that they may think necessary.

On the motion of Mr. Smith, Mr. Jessup was added to the committee on Military Affairs.

On the motion of Mr. Southgate,

Resolved, That the committee on Courts of Justice, be instruct-

ed to inquire into the expediency of reducing into one act, the several acts concerning the conveyances of land, providing for the repeal of all existing statutes on that subject, and suggesting such changes and alterations as in their opinion may be necessary to make plain and intelligible the law in relation to such conveyances.

On the motion of Mr. Grider,

Resolved, That so much of the Governor's message as suggests the revisal of the internal improvement bill of last session, be referred to the committee of Internal Improvements.

On the motion of Mr. Metcalfe, he was excused from serving on the committee appointed to prepare and bring in a bill to fix the ratio and apportion the representation for the ensuing four years; and Mr. Thornton was added to the said committee.

Mr. Guthrie, from the committee appointed for that purpose, reported a bill to amend an act entitled, an act to incorporate the Springfield and Bardstown turnpike road company.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Internal Improvements.

Messrs. Bush, McHenry and Murrell, presented the petitions of sundry citizens, praying that a law may pass to amend the charter of the Kentucky Baptist Education Society.

The said petitions were received and referred to the committee appointed to prepare and bring a bill to amend the charter of the Baptist Education Society.

An engrossed bill entitled, an act to change the time of holding the general court, was read the third time.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A bill to take the sense of the people of this Commonwealth, as to the propriety and expediency of calling a convention.

Was read the second time, and the consideration thereof made the order of the day for Monday next.

Ordered, That the public printer print one hundred and fifty copies thereof for the use of the General Assembly.

On the motion of Mr. Daviess,

Resolved, That the committee on Courts of Justice be instructed to inquire into the propriety and expediency of so amending the law in relation to Internal Improvements, as to authorize the appointment of commissioners to assess the damages for the right

of way of any turnpike road, or material for the construction of the same.

And then the Senate adjourned.

FRIDAY, JANUARY 1, 1836.

Mr. Harreld presented the petition of Elizabeth Whitaker, praying for a divorce from her husband Mark Whitaker.

Which was received and referred to the committee of Religion.

Mr. Watkins presented the remonstrance of James W. Crutcher, against the passage of a law granting a divorce to his wife, Sarah Crutcher.

Which was received and referred to the committee of Religion.

Mr. Metcalfe presented the memorial of the committees appointed by the citizens of Charleston and Columbia, in the State of South Carolina, on the subject of the Cincinnati and Charleston Rail Road; and a bill to incorporate the Cincinnati and Charleston Rail Road Company.

Which were received and referred to the committee of Internal Improvements.

Ordered, That the public printer print one hundred and fifty copies of the said memorial and bill for the use of the General Assembly.

Mr. Wingate, from the committee of Religion, to whom was referred a bill for the divorce of Margaret Haydon; and

A bill for the benefit of John Owens, of Clarke county, reported the same with the opinion of the committee, that they ought to pass.

Ordered, That the said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, that the title of the first be amended to read, an act for the relief of Margaret Haydon; and that the title of the second be as aforesaid.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill to amend the charter of the Springfield and Bardstown turnpike road company, reported the same, with the opinion of the committee that it ought to pass.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third read-

ing of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. McHenry, from the committee appointed for that purpose, reported a bill to incorporate a company to turnpike a road from Stanford, by way of Somerset and Monticello, to the Tennessee State line, in a direction to Huntsville; and

A bill to enlarge the constable's district for the town of Monticello.

Which bills were each read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the first, and second and third readings of the second bill having been dispensed with, the first was referred to the committee of Internal Improvements.

Resolved, That the second bill (the same being engrossed) do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Hanson,

Leave was given to bring in a bill for the benefit of George Calmes, of Perry county; and the committee of Religion was directed to prepare and bring in the same.

Mr. Bush, moved the following resolutions, viz:

Resolved by the Senate of Kentucky, That it is inexpedient to legislate upon private or individual applications for divorces.

Resolved, That the committee on the Judiciary be directed to report a bill providing for all cases not otherwise provided for, that merit the interference of legislative enactments, or to report such other provision as may meet their approbation.

Which were twice read and laid on the table.

A message was received from the House of Representatives, announcing the passage of a bill from the Senate, entitled, an act to allow the independent Banks of this Commonwealth further time to collect and settle their concerns; and the adoption of a resolution from the Senate, to appoint a joint committee to examine the situation of the public arms.

Whereupon Messrs. Morehead, Thornton and Metcalfe, were appointed the committee on the part of the Senate.

A bill to change the time of the meeting of the General Assembly, was read the second time.

The question being taken on engrossing the said bill and reading it a third time, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Willis and Parker, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bramlette, Carter, Grider, Hanson, Harreld, Jessup, Lusk, McHenry, Metcalfe, Morehead, Morgan, Parker, Patterson, Sisk, Smith, Thornton, Watkins, Willis, Wingate and S. Young—22.

NAYS—Messrs. Bush, Daviess, Gilbert, Guthrie, James, Lyon, May, Miller, Murrell and Southgate—10.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A bill providing for the service of process where the sheriff and coroner of the county are parties to the same suit, was read the second time, and ordered to be engrossed and read a third time to-morrow.

A message was received from the House of Representatives, announcing the passage of bills of the following titles, viz:

1. An act to authorize the editor of the Russellville Advertiser to publish advertisements.
2. An act to repeal an act approved February 22, 1834, limiting the number of magistrates in the county of Clarke.
3. An act for the benefit of Bartlett L. Graves.
4. An act to authorize the insertion of advertisements in the Hopkinsville Gazette.
5. An act to amend an act entitled, an act to incorporate the Winchester and Lexington turnpike company.
6. An act to alter the time of holding the Harrison county court.
7. An act allowing an additional justice of the peace, to the county of Russell; and
8. An act concerning the collection of the revenue tax, for the year 1835.

The second bill was read the first time, and the question being taken on reading the same a second time, it was decided in the negative, and so the said bill was disagreed to.

The other bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the third, fifth, seventh and eighth bills having been dispensed with, they were referred; the third to a committee of Messrs. Murrell, Grider and Willis; the fifth to the committee of Internal Improvements; the seventh to the committee of Courts of Justice; and the eighth to the committee of Finance.

The rule of the Senate constitutional provision, and second and third readings of the first, fourth, and sixth bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles of the first and sixth be as aforesaid, and that the title of the fourth be amended by adding thereto, "and the Western Visitor."

A message in writing was received from the Lieutenant and acting Governor, by Mr. Cox, Assistant Secretary.

The rule of the Senate having been dispensed with, the said message was taken up, and read as follows, viz:

Gentlemen of the Senate—

I communicate herewith, the report of the United States' engineer, to the Department of War, of his survey of the Cumberland river.

J. T. MOREHEAD.

January 1, 1836.

Ordered, That the said report be referred to the committee on Internal Improvements.

Mr. Guthrie read and laid on the table, the following joint resolution, viz:

Resolved by the Senate and House of Representatives of the Legislature of Kentucky, That the joint rules of the two houses shall be amended as follows:

That no petition for a divorce shall be received in either house, without being accompanied with an affidavit, that notice in writing of the application has been given to the person the petitioner desires to be divorced from, at least thirty days before the application is made, and no *ex parte* evidence shall be heard by the committee of either house, on an application or bill for a divorce.

And then the Senate adjourned.

SATURDAY, JANUARY 2, 1836.

Mr. Boyd, from the committee appointed for that purpose, reported a bill to amend the charter of the Kentucky Baptist Education Society, which was read the first time, and ordered to be read a second time.

The rule the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Courts of Justice.

Mr. Patterson, presented an address of the trustees of the Baptist Education Society to the public, and particularly to the Baptist community in Kentucky, in relation to the said Education Society, which was received and referred to the committee of Courts of Justice.

Mr. Parker, from the committee appointed for that purpose, reported a bill to apply the fines and forfeitures of Mason county, to the lessening the county levy, which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Grider presented the report of the President of the board of commissioners, for the improvement of the navigation of Green river, which was received and is as follows, viz:

To the Senate and House of Representatives of Kentucky.

According to an order of the board of Green river commissioners, I submit the following report to your honorable bodies:

The past season having been unprecedented for summer freshets, the history of the public works on Green river, for this year, is a series of disappointments to the commissioners and of disasters to the contractors; and the cold weather which has put a close, for the winter, to the operations at both works, is rather a welcome visiter than otherwise.

Although we greatly regret that another season must pass over before these works can be finished, it is due to the contractors, at both points, to say that no blame can attach to them for this unfortunate delay. Notwithstanding the succession of freshets, which suspended the works and dispersed the hands, every month during the summer season, at No. 2, under the greatest difficulties, their forces were collected from time to time, and the work pressed with all possible vigor until suspended entirely by winter. At No. 1, the water never got low enough to found the work until it was utterly too late to finish it; and a flood which filled the coffer dam suspended this work, at considerable loss, before the first course of stone was laid in the lock pit.

At No. 1, there are still some materials to get, by which this job can be wintered without so great loss. At No. 2, nothing can be done until the water falls in the spring.

What the result will be to the contractors, this board is not yet able to say; but should a loss be eventually sustained by them from these providential interpositions, their great energy and unconquerable reso-

tion in holding up under such successive and heavy disappointments, in the construction of the works of the State, the benefits of which will descend to posterity, will make their relief, by special legislation, an object which the Legislature of Kentucky will never neglect.

Circumstances are not wanting, however, to lighten the gloom which hangs over our prospects, from the procrastination of our work, and the losses of our energetic contractors. The dam and lock, No. 2, have been overtaken in an unfinished state by a freshet, only wanting a few feet of the height of the tremendous floods of 1807 and '11; and we are happy to say, have not only withstood the effects of the waters, but remain uninjured from the immense rafts of green timber, cut by order of this board in Green and Barren rivers, and by the commissioners of Muddy river, and brought down by the rise in quantity and force which can never again threaten our works upon this stream.

This occurrence has not only encouraged the board of commissioners, but has removed the doubts of many in relation to the permanency of these works. It has afforded to the minds of all a strong practical illustration of the difference between the energy of scientific skill, sustained by ample means, and the uninstructed and limited efforts of individuals, in the construction of works to resist the influence of time and tide.

Wm. C. Foster, Jr., the first and highly esteemed engineer upon our works, signified his intention, early in this year, to leave the station. Ill health and private business requiring such a course.

The undersigned, by the order of this board, was instructed to employ a gentleman to fill his place as early as possible, and to be guided in his choice by the advice of our old friend, Gen. Lacock, of Pennsylvania. Through the agency of the General, he succeeded in procuring the services of A. Livermore, Esq. our present engineer, who, relieved Mr. Foster, and entered upon the duties of his station in June.

It is our duty and pleasure to say that this gentleman has fully equalled the high expectations which the board had a right to entertain, from his intimate acquaintance with the improvements of the eastern and northern parts of our country.

It is here due to the board to say, that intrusted as they have been, with this first effort of the State of Kentucky in this important description of improvement, they have been fully sensible of the weight of responsibility under which they have been placed, and have, throughout the progress of this work, considered it a matter of the last importance to the cause of internal improvement, to avail themselves of the aid, not only of the best talent, but also of the most experience, in the selec-

tion of engineers and contractors; and as far as is consistent with those paramount considerations, the most economical policy has been uniformly pursued.

They have desired not only to be directed by those great and unquestionable principles of abstract science which presided at the projection of the great works of New York and Pennsylvania, but, also, to take advantage of the experience of our sister States, bought at an expense of so much time and money, and illustrated in the immeasurable superiority of their more recent, over their former works.

We believe that the public works on Green river, as far as they have yet progressed, give ample evidence of the soundness of this policy; and the concurrent testimony of every man who has seen them, and who is acquainted with structures of the kind, is, that in design and execution, they are fully equal to the best efforts of the kind in our country.

By reference to the report of the engineer, which is marked A, and hereto appended as part of this report, you will see the amount of work done at each scite, as well as of that which remains yet to be done.

The report of the clerk of the board, marked B, is also submitted. It shows the amount of funds received and disbursed by the board, and the amount of funds on hand.

By reference to this, and former reports, it will be seen that \$55,831 20 have been expended up to the present time upon the river, and that the balance of unexpended funds is \$24,168 80—making the total amount received by this board from the treasury, and from the board of Internal Improvements, \$80,000, including uncurrent money.

By estimate, there yet remains to be expended upon No. 1, \$27,964 05; upon No. 2, \$25,934 94; upon contracts unfinished, in consequence of high water, and jobs yet to be let, for removing logs, snags, &c. \$1000; expense of engineering and cement \$2,500.—Travelling expenses of commissioners, \$250.

The estimate of expense of engineering is increased, from the necessity, which will be unavoidable, of employing an assistant engineer as soon as the work opens in the spring.

In addition to the above \$80,000, there are yet due from the appropriation of 1833-4, \$40,000.

RECAPITULATION.

Amount heretofore received,	\$80,000 00	
Yet due from the treasury,	40,000 00	
	<hr/>	\$120,000 00

Amount heretofore expended,	\$55,831 20	
Yet to be expended,	57,648 99	
Balance which will remain in hands of board,	6,519 81	\$120,000 00

It is now of greater importance than ever, in the view of this board, that the whole line of work, embracing Nos. 3 and 4 in Green river, and No. 1 in Barren river, be put under contract as early as practicable, for many reasons, some of which have been stated at length in former reports, to which we beg leave respectfully to refer.

The line of works will yield no profit to the State, or to the community, until finished; and the expenses of superintendence will be greatly increased by a tardy prosecution.

By letting the three works alluded to early in the approaching year, should such a season as 1831, 2, 3, or 4, occur, they may all be finished in 1836; and in any event may be completed in 1837.

From a calculation of the present prices of freight, on the trade to Bowlinggreen, restricted as it is by the difficulties of navigation, a toll of six per cent on the whole investment might be immediately levied on this work, and yet leave the community immediately interested in this great work some thousands of dollars saved by the reduction in the price of freight; while they, and their posterity, have a legacy left them which must increase in value beyond the most extravagant calculations even of those who have projected the work—as it will also be a lasting monument of the sound policy and munificent liberality of those who have so well represented the true interests of the people.

The letting of three works of such magnitude would secure sufficient competition to insure the best work at the most reasonable prices; while the simultaneous prosecution of all these works from the mouth up, will bring a force of hands into the country, which will render a contract far less hazardous.

The reason, however, which presses most forcibly upon the present attention of this board and of the Legislature, is this, that a different policy will leave each scite above a finished work in five feet water; and the experience of this season has shown that the expense of founding works in that way, by coffer dams and bailing, might be swelled beyond any former calculations.

The following estimate is submitted, in conformity to the views above expressed, and the course recommended.

It shows the amount of funds necessary to be provided, should the letting of the whole line be ordered. In this estimate no allowance is

made for the purchase of wood, stone, or other materials—no charge as yet, having been made by any individual, nor do we think there ever will be.

Estimating the cost of each work at \$47,000. The amount necessary to build Nos. 3, and 4, and No. 1, is \$131,000.

Deduct the amount of conditional appropriation of last year, which is \$50,000, and \$6,519 81, the estimated amount which will remain in the hands of the board where Nos. 1 and 2 are completed; and the sum of \$74,480 19 cents remains to be provided, without the estimate usually added for contingencies, which would swell the sum to \$84,000. Much of this contingent expense, however, would be cut off in the items of expenses of commissioners and engineering.

The paper marked C, is the report of the engineer, after a cursory examination of Panther creek. As a considerable depth of water will be thrown up this creek by dam No. 1, the same precautionary steps in removing trees and logs, are rendered necessary in this stream, which have been taken by the board in Green and Barren rivers. But this board does not feel at liberty to act upon this subject, however important its claims may be, without special legislation in reference to it, believing it to be at present without the sphere of its action.

The undersigned regrets that the shortness of his notice, and debility from recent sickness, made it impossible for him to reach the public works before your committee of observation had left; and it is still more to be regretted, that those gentlemen could not have had such weather, and such stage of water, as is usual at that season of the year.

Many of the most striking points of this work would have been seen, which were wholly covered with water, among which are, the solid rock foundations, and banks of uncommon stability, which are present at every scite on Green river.

The above views are most respectfully submitted for your consideration, by your obedient servant,

JAS. R. SKILES, *P. B. G. R. Com'rs.*

A

RUMSEY, December 11th, 1835.

TO JAMES R. SKILES, Esq.

President of the Board of Green River Commissioners.

SIR:—I left my former place of abode in Pennsylvania, on the 16th of June last, and arrived at this place the 24th of the same month, and took charge as Engineer of the Green river improvements, in place of Wm. B. Foster, Jr. Esq. the former engineer, of whom I received the books and papers belonging to the department, since which time I have attended to the duties devolving upon the station.

On my arrival, I found the waters of Green river too high for the commencement of the foundations, or building any part of the work at Spotts or Vienna falls. The materials for the lock and dam at Vienna falls, were nearly all prepared and delivered previous to my arrival at this place. The contractors, consequently, were waiting for the river to fall, in order to the commencement of operations toward building their work. They were, however, compelled to wait until about the 20th of July, before any thing of this kind could be done. At that date the waters had so far fallen, that the contractors were enabled to commence excavating at the lock pit, by encountering some disadvantages with water. They, however, surmounted these difficulties, and prepared the foundation of the lock, and were enabled to commence building the 26th of August, but were stopped by high water the very day they commenced laying the first stone of the lock. The waters remained up for about one week. As soon as the stream fell, and hands could be collected, the work was continued, during the month of September, with the exception of a few days, when a small rise took place, and materially hindered the progress of the work, but did not entirely stop the workmen on the head wall of the lock.

The contractors labored under serious difficulty in getting mechanics and laborers, in proportion to the necessity of the case. The frequent high waters of Green river had so often dispersed the hands, that they were with difficulty re-collected—indeed, weeks passed before they could be gathered for a vigorous prosecution of the work. About the 20th of October, another flood succeeded, twenty feet high, and stopped all operations, since which time but little work has been done.

The following is the state of the work as now estimated. In the *lock*, there is 1200 perches of masonry laid. The foundation of the lock is completed, with the exception of a part of the planking in the recesses. The channel below the lock has 1300 cubic yards of rock excavated, leaving 600 yards yet to excavate. The cut stone is all prepared and

delivered for the balance of the wall. A small part of the backing stone are delivered, and all are quarried, and boats provided sufficient to deliver as fast as they can be laid. The gates are framed—the iron work is nearly all completed.

The dam is now raised about five feet across the stream, and well filled with stone. The abutment is more than half built, and the materials for the balance provided, in sufficient quantity to complete the whole work. The dam and lock can be completed in three months of good weather and low water.

The estimated amount of work done on the lock is \$24,863 60, and on the dam, \$10,454 62, making the total estimated amount to be \$35,318 22, leaving \$19,984 28, as the amount required to be done, agreeably to Mr. Foster's estimate.

The works at Spots' falls, have progressed, so far as regards the furnishing of materials, very well; nothing has been done towards building, except the completion of the coffer dams above and below the lock location. The time of low water was not as great at this place as at Vienna, owing to the back water from the Ohio river. Not more than one month of the time, during the season, was the water sufficiently low at this place, to admit the workmen to prepare the foundations; during this time, nearly every hand and the contractors were sick; consequently, a total failure to commence this part of the work, was the consequence.

Three fourths of the materials are provided, and mostly delivered for both dam and lock. It will require, at least, four months, of good weather and tolerably low water, to complete the works at this place.

The late estimated amount of work done on these two jobs, is, for the lock, \$10,306 50, and for the dam, \$3,270 00, making the total amount \$13,576 50, which will leave for work yet to be done, agreeably to Mr. Foster's estimate, \$33,549 50.

Considerable progress has been made towards removing snags, and cutting trees in Green and Barren rivers. The work not being completed, the final estimate has not been made. All money paid on account of work done, has been by orders of the board.

I have been engaged, for the most of my time, upon public works since the commencement of the year 1822. I have known but one season, during this term of time, that could be compared with the past season for high water. We have had a flood every month during the season—agreeably to the details above, we are defeated in the completion of the locks and dams under contract. The contractors have done every thing in their power, and have spared no pains or expense to com-

plete their contracts agreeably to the stipulations therein contained. No human power could have guarded against the occurrences of the season, which has been uncommon, and are said to be without precedent by the oldest inhabitants of this country.

A little consolation may be derived from the disasters of the season, if we reflect that it will enable you to have the foundation of the three dams and locks, proposed to be built in Green and Barren river, above this point, raised above the influence of back water, from the works constructing below, should the Legislature authorize you to put these works under contract in time to effect this important measure. Much money would be saved to the Commonwealth, by taking advantage of this circumstance. I consider it all important that this should be done, as it must necessarily be obvious that much cost will be added to those works if they are to be built in five feet water. I would, therefore, urge the importance of this measure, for this cause, and the great object of having the work completed as soon as possible, in order to receive the advantages for the money already expended.

The \$50,000 appropriated by the legislature last winter, if made available, together with the amount already authorized to be expended, will be sufficient to put these works under contract, and prosecute them to the necessary state of advancement, during the coming season, to enable you to have the work completed during the year 1837. But should the legislature make the necessary appropriation early in the session, and the works be put under contract before the 1st of March next, and should we have a favorable season, the whole works to Bowlinggreen can be completed before the termination of the ensuing year.

The total cost of the improvement from the mouth of Green river to Bowlinggreen, as estimated by Mr. Foster, last year, exclusive of contingencies, is \$230,988 30; to which should be added 10 per cent, for superintendence, engineering, and other incidental expenses, making the whole cost \$254,087 13; from which, deduct the former appropriations, \$170,000, there will be required \$84,087 13, in order to complete these improvements.

All of which is respectfully submitted.

ALONZO LIVERMORE, *Engineer*.

B

Commissioners for the improvement of Green River, in account with the Commonwealth of Kentucky.

1835.

DR.	To balance in hands of Treasurer of the Board, as per Report to the last legislature,	\$4,201 54
	To am't of draft on State Treasurer out of the second appropriation to Green River,	10,000 00
	To am't of draft on the Board of Internal Improvement,	50,000 00
		<hr/>
		\$64,300 54

CR.	By payment to contracts of dam and lock, No. 1,	19,161 95
	By do. do. lock and dam No. 2,	17,812 05
	By do. to Wm. B. Foster, late engineer,	982 00
	By do. to A. Livermore, present engineer,	750 00
	By do. for rent of office,	75 00
	By do. for instruments for engineer,	9 00
	By do. for stationery for office,	4 14
	By do. paid John A. Taylor on contract to remove snags, &c. in Green River, from mouth of Barren to mouth of Muddy River,	350 00
	By cash paid J. McConnell on similar contract, from Rumsey to the mouth,	166 00
	By do. paid Stevens and Ford for same in Barren,	400 00
	By do. for hauling lime from Yellow Banks,	88 79
	By do. paid expenses for stoning lime, &c.	9 00
	By do. printing,	18 25
	By do. expenses of commissioners,	206 56
	By balance in hands of Treasurer of the Board,	24,168 80
		<hr/>
		\$64,201 54

A. DYER, Sec'y of Board.

C

HARTFORD, December 4th, 1835.

TO JAMES R. SKILES, ESQ. *President of the Board of Commissioners,
for the improvement of Green River.*

SIR:—By the request of citizens of Daviess county, I have, in company with Simpson Stout, Esq. made an examination of *Panther Creek*, with a view to the improvement of that stream for a descending trade.

The *drift wood* collected in the channel, and the *leaning trees* skirting the banks, are the principal obstructions to the navigation of this stream. There is but little fall in the creek, consequently, the waters rise to a considerable height, and remain in a boatable stage, for a goodly portion of the season.

The distance susceptible of improvement, will probably be about fifty miles, measured by the meanderings of the creek. The width of the stream, at a common boating stage of the water, will hardly ever be less than fifty feet. The course of the stream is quite sinuous, and the bends may in some instances be so abrupt, as to require excavation, in order to make the turning of the boats less difficult.

The *lands* bordering the creek are of an excellent quality, and many fine farms are already opened by the cultivator, and teem with the produce of the soil designed for the lower market. Much fine stave and other valuable *timber* is growing in the vicinity, and on the banks of this stream, which will be rendered valuable, if the improvements herein described shall be made, which will ensure its safe shipment to a profitable market.

Specification and estimate, for the improvement of Panther Creek, in Daviess county, for a descending navigation.

The timber in the channel must all be cut, in such manner, that no stick shall be left over thirty feet long. All limbs and roots must be cut off separate, and the roots must be deposited in some place entirely out of the reach of boats, either in a high or low stage of water. The leaning trees on the banks must be grubbed, or cut low, as the case may require, and otherwise disposed of, as the timber in the channel. All other timber, for two rods each side of the creek, must be deadened, in order that it may the more readily float away, should it fall into the stream.

Where two channels do present, the shortest and best must be adopted; many instances will offer of this kind, where the main part of the

stream takes a circuitous course, but a shorter route can be improved, by grubbing and cutting away the timber across the bends. In all instances, this course should be taken, where it can be effected without too great an additional expense. In a few cases excavation may be necessary off the convex side where very short bends occur. In all cases of this kind, it should be measured, and paid for by the cubic yard.

I believe the following estimate will be sufficient to have the work executed, agreeably to the specification.

For cutting the drift wood and removing roots, (\$30 per mile,)	\$1,500 00
Cutting, grubbing and deadening timber on banks, \$10 per mile,	500 00
The necessary excavation for the whole distance, (50 miles,)	150 00
	<hr/>
	\$2,150 00
Add 10 per cent for contingencies,	215 00
	<hr/>
Amount,	\$2,365 00

The foregoing is respectfully submitted,

ALONZO LIVERMORE,
Engineer of Green River Improvements.

After the suspension of the works by the June freshet, the Engineer was ordered up to the mouth of Little Barren, to effect a reconnaissance of the main branch of Green River from that point to the mouth of Big Barren; but the water falling more suddenly than was anticipated by the board, the order was countermanded, and no level as yet has been taken of this important part of our navigation.

The board will take the earliest opportunity of effecting the survey, and of having the estimate made out for improving this part of the river, in order to submit them for the consideration of the Legislature.

Ordered, that the public printer print one hundred and fifty copies of the said report for the use of the General Assembly.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Guthrie—1. A bill to establish a Police Court in the city of Louisville, and to amend the charter of the city of Louisville.

On the motion of Mr. Watkins—2. A bill to change the place of holding elections in the Sugartree run precinct in Breckinridge county.

On the motion of Mr. Sisk—3. A bill for an appropriation in money, for the purpose of building a bridge over Pond river.

On the motion of Mr. McHenry—4. A bill to change the law in relation to taking votes at the election precincts in the Commonwealth of Kentucky.

On the motion of Mr. Parker—5. A bill to change the time of holding the court of claims in Mason county.

And on the motion of Mr. Guthrie—6. A bill repealing all laws requiring bail in civil actions, and authorizing attachments on original process.

The committee of Courts of Justice was directed to prepare and bring in the first, fourth and sixth; the committee of Internal Improvements, the third; Messrs. Watkins, Boyd and James were appointed a committee to prepare and bring in the second, and Messrs. Parker, Metcalfe and Morgan, the fifth.

An engrossed bill entitled, an act providing for the service of process where the sheriff and coroner of the county are parties to the same suit, was read the third time, and referred to the committee of Courts of Justice.

A message was received from the House of Representatives, announcing the passage of bills of the following titles, viz:

1. An act to enable the clerk of the general court to renew his official bond.
2. An act to provide for the collection of judgments rendered by justices of the peace in certain cases.
3. An act for the benefit of the representatives and heirs of Thomas Shadburn and Peyton L. Parrish.
4. An act to allow three additional terms to the Boone county court.
5. An act to amend the law in relation to opening and repairing the roads in Campbell county.
6. An act to alter the limits of the town of Cadiz.
7. An act for changing the time of holding the Graves county court; and
8. An act to change the place of voting in the upper precinct in Monroe county.

The said bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the second, third and seventh bills having been dispensed with, the second and third were referred to the committee of Courts of Justice, and the seventh to a committee of Messrs. James, Watkins and Grider.

The rule of the Senate, constitutional provision, and second and third readings of the first, fourth, sixth and eighth bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

And then the Senate adjourned.

MONDAY, JANUARY 4, 1836.

Mr. Guthrie from the committee of Courts of Justice, to whom was referred an engrossed bill entitled, an act providing for the service of process when the sheriff and coroner of the county are parties to the same suit, reported the same with an amendment; which was twice read and concurred in.

Ordered, That the said bill be re-engrossed and again read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being re-engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives entitled, an act for the benefit of the representatives and heirs of Thomas Shadburn and Peyton L. Parrish, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled, an act concerning the collection of the revenue tax for the year 1835, reported the same without amendment.

The said bill was amended, and ordered to be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill as amended, do pass, and that the title be amended to read, an act giving further time to sheriffs and other collecting officers to return their delinquent lists.

Ordered, That the clerk inform the House of Representatives thereof.

After a short time a message was received from the House of Representatives, announcing that they had disagreed to the amendments proposed by the Senate, to the said bill.

On the motion of Mr. Willis,

Resolved, That the Senate insist on the said amendments.

Ordered, That the clerk inform the House of Representatives thereof.

Soon after a message was received from the House of Representatives, announcing that they had insisted on their disagreement to the said amendments, and requesting the appointment of a committee of conference.

Whereupon Messrs. Hanson, Grider and Willis, were appointed a committee of conference on the part of the Senate.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Daviess—1. A bill authorizing the Nicholasville, Harrodsburg and Perryville turnpike road company to build a bridge across the Kentucky river.

By Mr. Watkins—2. A bill to change the place of voting in Sugartree run precinct in Breckenridge county.

By Mr. McHenry—3. A bill to incorporate a company to turnpike a road from Greensburg, by way of Jamestown, and Monticello, to the Tennessee State line, in a direction to Knoxville.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second readings of the first and third bills having been dispensed with, they were referred to the committee of Internal Improvements.

The rule of the Senate, constitutional provision, and second and third readings of the second bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The Speaker laid before the Senate, a letter enclosing the annual report of the Treasurer.

The said letter and report are as follows, viz:

TREASURER'S REPORT.

FRANKFORT, 2d January, 1836.

Sir:—You will please lay before the Honorable House, over which you preside, the enclosed statement, which will give a concise view of

the condition of the Treasury department, from the 11th day of October, 1834, to the 10th day of October, 1835, inclusive.

I have the honor to be, very respectfully,

Your obedient servant,

JAMES DAVIDSON, *Treasurer.*

THE HON. WM. B. BLACKBURN,
Speaker of the Senate.

No. 1.

A Statement showing the amount of moneys received by the Treasurer, (under their appropriate heads,) from the 11th day of October, 1834, to the 10th day of October, 1835, inclusive, viz:

From land warrants,	1203 55
From non-resident lands,	2295 16
From lands west of the Cumberland river,	115 85
From warrants to be laid on forfeited lands,	25
From lands west of the Tennessee river, in specie,	5490
Advance of five per cent on the above,	274 50
	<hr/> 5764 50
From lands west of the Tennessee river, com'th paper,	5838 25
From sheriffs, for revenue,	124,518 77
From clerks of courts,	23,277 69
From the Register of the land office,	491 30
From loans to Penitentiary,	6,000
From old Bank of Kentucky, distribution of stock, in specie,	14,917 50
From the Bank of Kentucky, Louisville, (bonus) specie,	6428 50
From miscellaneous receipts,	203 70
	<hr/> \$191,079 77

Internal Improvement Scrip Fund.

Proceeds of the sale of \$200,000, state scrip,	203,207 50
	<hr/>
Total amount received during the year ending the 10th of October, 1835,	\$394,287 27
Proceeds of state scrip sold, as above stated, \$203,207 50	
From which deduct disbursements, in statement No. 2,	92,000
	<hr/>
Leaving a balance of this fund, the 10th of October, 1835,	\$111,207 50

No. 2.

A statement showing the amount of warrants paid by the Treasurer, (under their appropriate heads,) from the 11th day of October, 1834, to the 10th day of October, 1835, inclusive.

On Criminal prosecutions,		\$12351 15
For the support of Idiots,		12327 13
For Clerks' services,		8629 00
To Jailers,		7430 04
To salaries of the Executive and Judicial department,		25449 12
To Attorneys for the Commonwealth,		4402 91
To Commissioners of Tax,		8698 91
To Executive offices,		2981 99
To contingent expenses,	2544 48	
To contingent expenses specie,	73 82	
		<hr/> 2618 30
Internal Improvement,		44066 90
Military Expenses,	320 24	
To Military Expenses in specie,	64	
		<hr/> 384 24
Distributing the Acts and Journals,		340
Slaves Executed,		575
Money refunded,		91 81
Deaf and Dumb Asylum,		1108 72
Decisions of the Court of Appeals,		2562 00
Legislature, December Session, 1834,		19643 58
Public communications, specie,		841 90
Sheriff's comparing polls,		183 79
Appropriation December Session 1833, in specie,		17300
Appropriation December Session 1833, in Com'th paper,		25583 32
Appropriation December Session, 1834,		14072 80
Public Printer,		19 75
		<hr/> \$209662 36
Amount brought forward,		209662 36
Public Roads,		317 75
Purchases of non-resident lands,		6 98
Sheriff's for Revenue,		113 36
Loans to the Penitentiary,		6000 00
		<hr/> 216100 45
		<hr/>
Of which is in specie,	62344 72	
Of which is in Commonwealth paper,	153755 70	
		<hr/> 216100 45

Internal Improvement Scrip Fund.

Amount of warrants paid by the Treasury of this fund,	92000 00
Total amount of warrants paid from the 11th October, 1834, to the 10th day of Octo- ber 1835, inclusive,	308100 45
Balance due from the Treasury, the 10th day of October, 1834,	57912 42
To which add the amount of warrants paid for general expenses as per the above statement,	216100 45
Making the sum of	274012 87
From which deduct the amount of receipts as per statement No. 1,	191079 77
Leaving a balance due from the Treasury on the 10th day of Oct. 1835, the sum of	82933 10
JAMES DAVIDSON, <i>Treasurer.</i>	

Ordered, That the said report be laid on the table, and that the public printer print one hundred and fifty copies thereof for the use of the General Assembly.

Mr. James presented the petition of sundry citizens of Hickman county, praying that a law may pass authorizing the settlers on the islands in the Mississippi, opposite said county, and others, to enter the same, by paying the State price thereon.

Mr. Wingate presented a plat and survey of one of the said islands.

The said petition and plat and survey were received, and referred to the committee of Finance.

Mr. Boyd presented the petition of the widow and the heirs and representatives of Thomas Courtney, deceased, praying that a law may pass authorizing a division of the estate of the said Thomas, amongst his heirs and devisees.

And Mr. McHenry presented the petition of sundry citizens, praying for an appropriation of money to aid in opening a road from Stanford, by the mouth of Line creek, to Barboursville, and Williamsburg.

Which petitions were received, and the former was referred to the committee of Courts of Justice; and the latter to the committee of Internal Improvements.

Leave was given to bring in the following bills, viz:

On the motion of Mr. McHenry—1. A bill to establish an Internal Improvement Board for Cumberland river.

On the motion of Mr. Smith—2. A bill to amend the several acts of assembly, to erect a bridge across the Rockcastle river, near where the Crab Orchard road crosses the same.

On the motion of Mr. Carter—3. A bill for the benefit of the sheriff of Lewis county.

On the motion of Mr. Wingate—4. A bill for the benefit of John Wood.

On the motion of Mr. Southgate—5. A bill to amend the laws against unlawful gaming.

On the motion of Mr. Wingate—6. A bill to authorize the clerks of courts in this Commonwealth to renew their office bonds.

On the motion of Mr. Parker—7. A bill to appropriate a sum of money to aid in building a bridge over Limestone creek in Mason county.

On the motion of Mr. Jessup—8. A bill to repeal the act entitled, an act to amend the law prohibiting the importation of slaves into this State, approved 2nd February, 1833.

On the motion of Mr. Hanson—9. A bill abolishing the election precinct in Clarke county, commonly called "the Stoner precinct," and for other purposes.

On the motion of Mr. Southgate—10. A bill to amend an act entitled, an act amendatory of the several acts relating to the town of Newport, in Campbell county, approved February 24, 1834.

On the motion of Mr. McHenry—11. A bill to amend the law in relation to divorce cases.

And on the motion of Mr. Parker—12. A bill to establish the town of Dover, in the county of Mason.

Messrs. McHenry, Grider and Smith, were appointed a committee to prepare and in the first; Messrs. Smith, Lusk and Gilbert, the second; Messrs. Carter, Morgan and S. Young, the third; Messrs. Wingate, Boyd and Morgan, the fourth; Messrs. Southgate, Guthrie and Wingate, the fifth; Messrs. Hanson, May and Patterson, the ninth; Messrs. Southgate, Bush and Wingate, the tenth; Messrs. McHenry, Daviess and May, the eleventh; Messrs. Parker, Morgan and Carter, the twelfth; the committee of Courts of Justice, was directed to prepare and bring in the sixth and eighth; and the committee of Internal Improvements, the seventh.

A bill from the House of Representatives, entitled, an act to amend the law in relation to opening and repairing the roads in Campbell county, was read the second time, and referred to a committee of Messrs. Southgate, Bush and Patterson.

A message was received from the House of Representatives, announcing the passage of bills of the following titles, viz:

1. An act for the benefit of Henrietta White.
2. An for the relief of James Branham.

3. An act for the relief of the infant devisees of Thomas Ber-ryman, deceased.

4. An act to permit James White to import his negroes into this Commonwealth, to work at his Salt works, in Clay county, Kentucky.

5. An act for the benefit of Leander P. Hammer, and Rebecca D. Hammer.

6. An act for the benefit of James Smith Noe.

7. An act for the benefit of William McCoy.

8. An act for the benefit of Thomas F. Hackley.

9. An act to divorce Fountain Weatherford from his wife, Sally Weatherford.

10. An act for the benefit of Andrew Clark.

11. An act for the benefit of Sophia Warrenner.

12. An act for benefit of Elizabeth Maxey.

13. An act to confirm the residence of Josiah Hunter.

14. An act authorizing the conveyance of a tract of land belonging to the heirs of David Meriwether.

15. An act to reduce the number of magistrates in Muhlenburg county.

16. An act to repeal an act entitled, an act to enlarge the constable's district, including the town of Bowlinggreen, approved November 11th, 1825; and

17. An act for the benefit of the jailer of Warren county, and for other purposes.

The said bills were severally read the first time, and ordered to be read a second time.

The rule of Senate, constitutional provision, and second reading of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth and seventeenth bills, having been dispensed with, the first, third, fourth and fourteenth, were referred to the committee of Courts of Justice; the second, to the committee of Finance; the thirteenth, to the committee of Propositions and Grievances; the fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth, to the committee of Religion, and the seventeenth, to a committee of Messrs. May, Grider, Hanson and Murrell.

The rule of the Senate, constitutional provision, and second and third readings of the fifteenth and sixteenth bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Murrell from the joint committee of Enrolments, reported that the committee had examined an enrolled bill, entitled, an act to allow the Independent Banks of this Commonwealth, further time to collect and settle their concerns, and an enrolled resolu-

tion to appoint a joint committee to examine the Public Arms, and had found the same truly enrolled.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

The resolutions offered by Mr. Bush, on the 1st instant, declaring that it is inexpedient to legislate upon private and individual applications for divorces, and directing the committee of Courts of Justice to report a bill providing for all cases not otherwise provided for, that merit the interference of legislative enactment, or report such other provisions as may meet their approbation; were taken up, twice read and adopted.

The joint resolution for adopting a joint rule of both Houses, in relation to applications for divorces, read and laid on the table by Mr. Guthrie on the 1st instant, was taken up, twice read and adopted.

And then the Senate adjourned.

TUESDAY, JANUARY 5, 1836.

Mr. James McDonald, a member of the Senate, from the counties of Washington and Marion, and Mr. Aquilla Young, a member of the Senate, from the counties of Montgomery and Bath, appeared and took their seats.

Mr. James presented the petition of G. A. Haydock, administrator of the estate of Joseph Haydock, deceased, praying that a law may pass, authorizing a sale of the real estate of the deceased, for the purpose of paying his debts.

Mr. Southgate presented the petition of the general committee of correspondence appointed by the citizens of Cincinnati, Newport and Covington, praying that it shall be provided in the charter which may be granted for a Rail Road from the Ohio river, to Charleston, that the rights and interests of Newport and Covington, shall be reciprocally protected, by the construction of a branch from the main road to either of said towns, which may be on the opposite side of Licking river; from that, on which the main branch shall be located.

Which petitions were severally received, the former was refer-

red to the committee of Courts of Justice, and the latter to the committee of Internal Improvements.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Guthrie—1. A bill to amend an act entitled, an act to incorporate the Shepherdsville and Louisville turnpike company, and for other purposes, approved December 23d, 1831.

On the motion of Mr. Lusk—2. A bill to incorporate a company to construct a turnpike road from the Crab Orchard in Lincoln county, to the Cumberland Gap, in Harlan county, Kentucky.

On the motion of Mr. Boyd—3. A bill to incorporate a company to construct a turnpike road from Shelbyville, in Shelby county, to Taylorsville in Spencer county.

On the motion of Mr. Southgate—4. A bill to amend an act entitled, an act to incorporate the Newport manufacturing company.

On the motion of Mr. Wingate—5. A bill for the benefit of the widow and heirs of Nelson C. Johnson, deceased.

And on the motion of Mr. May—6. A bill to improve the State road from Mounsterling, to the Virginia line, by way of Prestonsburg.

Messrs. Guthrie, Thornton and Patterson, were appointed a committee to prepare and bring in the first; Messrs. Lusk, Guthrie, Daviess and Smith, the second; Messrs. Boyd, S. Young and Guthrie, the third; Messrs. Southgate, Bush and Thornton, the fourth; Messrs. Wingate, Hanson and May, the fifth, and Messrs. May, A. Young and Hanson, the sixth.

Mr. Daviess having obtained leave, reported a bill to extend the January term of the General court, and for other purposes,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Metcalfe, from the committee of Internal Improvements—1. A bill to incorporate the Franklin Bridge Company.

By Mr. Parker—2. A bill to change the time of holding the court of claims in the county of Mason.

By Mr. Carter—3. A bill for the benefit of the sheriff of Lewis county.

By Mr. Wingate—4. A bill for the benefit of John Woods.

By Mr. Guthrie—5. A bill to amend an act, entitled, an act to incorporate the Shepherdsville and Louisville turnpike company, and for other purposes, approved December 23rd, 1831.

And by Mr. Southgate—6. A bill to amend an act, entitled, an act to incorporate the Newport manufacturing company.

The said bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the fourth bill having been dispensed with, it was referred to the committee of Finance.

The rule of the Senate, constitutional provision, and second and third readings of the second, third and fifth bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing the passage of a bill from the Senate, entitled, an act to extend the January term of the general court, and for other purposes, and the passage of bills which originated in that house of the following titles, viz:

1. An act to legalize the proceedings of the trustees of the town of Nicholasville.

2. An act to revive and amend an act, entitled, an act regulating the public roads and highways in Bracken county.

3. An act for the benefit of the heirs of Andrew Campbell, deceased.

4. An act establishing a town on the lands of Wesley Hicks, in the county of Graves.

5. An act to allow an additional justice of the peace to the county of Lawrence.

6. An act to authorize the county court of Montgomery, to allow Joseph Bondurant, to cut a passage for his stock under the old iron works road.

7. An act to change the time of holding the circuit and county courts of Monroe county.

8. An act giving three additional terms to the county court of Nicholas.

9. An act for the benefit of the holders of headright certificates.

10. An act to amend an act entitled, an act to incorporate the Georgetown Female Academy.

11. And an act for the benefit of William Dills.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of Senate, constitutional provision, and second reading of the second, third, fourth, fifth and ninth bills having been

dispensed with, the second was referred to the committee of Internal Improvements; the third, fourth and ninth, to the committee of Courts of Justice, and the fifth, to a committee of Messrs. May, Gilbert and McHenry.

The rule of the Senate, constitutional provision, and second and third readings of the first, sixth, seventh, eighth, tenth, and eleventh bills, having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Grider, from the committee to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the jailer of Warren county, and for other purposes, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill as amended, do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the joint committee of conference appointed on a bill from the House of Representatives, entitled, an act concerning the collection of the revenue tax for the year 1835, and the amendments proposed by the Senate thereto, reported that the committee had met and conferred together, but could not come to any agreement.

Ordered, That the said bill and amendments be laid on the table.

Mr. Bush from the joint committee of Enrolments, reported that the committee had examined an enrolled bill, entitled, an act to extend the January term of the general court, and for other purposes, and had found the same truly enrolled; that the said bill had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate, affixed his signature thereto, and it was delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time Mr. Bush reported that the committee had performed that duty.

And then the Senate adjourned.

WEDNESDAY, JANUARY 6, 1836.

The Speaker laid before the Senate the following report of the President of the Bank of the Commonwealth, viz:

BANK OF THE COMMONWEALTH, }
January 5th, 1836. }

THE HON. WM. B. BLACKBURN,

Speaker of the Senate,

SIR: I have the honor of communicating, herewith, a Statement, showing the situation of this Bank, on the 30th day of November, 1835.

The collections during the past year, amount to the sum of \$74,720 95, besides debts to a considerable amount, which have been transferred to turnpike road companies, but not finally settled at this office. The above sum has been collected almost entirely from the smaller class of debts, while the larger ones are in a course of litigation, either in the State or Federal courts, all awaiting the decision of the Supreme Court of the United States, upon the question of the alleged unconstitutionality of the Bank.

This struggle between the Bank on the one hand, and its debtors on the other, has been kept up and carried on much longer than was at first anticipated, but there are good reasons for believing that it will be terminated during the present winter.

The entire debt due the Bank, with the exception of such as have been made under express stipulations as to time, and for the purchase of real estate, is now in suit, and the expense account of the last year, includes all the costs on judgments in the Circuit courts, as also, the costs and attorneys' fees, on more than one hundred causes that have passed through the Court of Appeals, together with about half that number, that have been prepared for the Supreme Court of the United States.

The Board of Directors has dispensed with the services of all the agents, and the business of the Bank has been placed in the hands of resident attorneys in the different counties, which it is believed, will greatly diminish the expenses, and accelerate the collections and final settlement of the debts.

Since my last report to the Legislature, the sum of \$63,500, of the notes of the Bank, has been cancelled and burnt, leaving only the sum of \$36,500, yet to be redeemed, one third of which, at least will probably never be presented for redemption.

During the last two years, the Bank has paid out in *par funds*, on checks drawn by the Treasurer, in aid of works of Internal Improvement, the sum of \$75,022 18, which constitutes a part of the sum of \$117,155 21 cents, charged to the Treasurer, as over

drafts, leaving the sum of \$42,133 03 cents, advanced by the Bank in aid of the revenue, since all its resources were by an act of the General Assembly, approved 22nd February, 1834, set apart and appropriated to objects of Internal Improvement; and I would respectfully suggest the propriety of providing for the liquidation of this latter sum, either by payment, or that it be charged to Internal Improvement, and the stock account credited by the amount.

As the whole fund vested in the Bank of the Commonwealth, has been transferred to the Internal Improvement fund, I here subjoin a table, for the purpose of exhibiting, as near as may be, the amount that may be expected to be realized for said object, to-wit:

A Statement of the situation of the Bank of the Commonwealth of Kentucky, on the 30th day of Nov. 1835.

DR.

To amount of Stock,	\$467,319 26
To amount of Notes payable,	75,000 00
To amount of Discounts,	10,046 98
To amount due Individual Depositors,	5,245 21
To amount due Literary Fund,	140,917 44
To amount due William D. Barret, late Cashier,	43 18
To amount due other Banks,	200 69

\$698,772 76

CR.

By amount of Notes under Discount,	\$ 56,427 95
By amount of Notes in Suit,	337,063 39
	<hr/>
By amount due from the Bank of Kentucky, (old)	\$393,491 34
By amount of Real Estate,	3,590 64
By amount of General Expenses,	33,627 68
By amount due from Treasurer,	9,431 71
By amount due from Profit and Loss,	117,155 21
By amount due from Delinquent Cashiers,	49,258 97
By amount due from Attorneys,	31,717 14
By amount due from Anthony Waggener's Administrator,	4,589 83
By amount due from William Fields, Sheriff Jefferson County,	162 10
By amount due from Farmers' Bank of Harrodsburg,	50 00
By amount due from Kentucky Exporting Company,	1,671 94
By amount due from the Branch Bank of Kentucky at Hopkinsville,	507 00
By amount due from Individual Tickets,	1,020 00
By amount of Cash on hand viz:	708 63

In Notes of the Bank of the Commonwealth of Kentucky,

\$38,880 57

In Notes of Specie Paying Banks,

12,910 00

51,790 57

\$698,772 76

MEANS.

Amount of Debt due the Bank by Notes,	\$393,491 34
“ Due from Bank of Kentucky, (old)	3,590 64
“ Real Estate,	33,627 68
“ Cashiers and Attorneys,	36,306 97
“ Discounts,	615 27
“ Independent Banks,	3,099 04
“ Branch Bank Kentucky, Hopkinsville,	1,020 00
“ Due from Treasurer, after deducting 75,022 18, which should be charged to Internal Improvements,	42,133 03
“ Specie Funds on hand,	12,910 00
	<hr/>
	<u>\$526,793 97</u>

LIABILITIES.

Notes in Circulation,	\$36,119 43
Loss on Real Estate,	11,209 22
Bad and Doubtful Debts including Defaulting Cash- iers and Attorneys,	198,601 83
Due to W. D. Barrett,	43 18
Due other Banks,	200 69
Due Individual Depositors,	5,245 21
	<hr/>
Excess of Means over all Liabilities,	251,419 56
	<u>\$275,374 41</u>

I am Sir,

Very respectfully,

Your obedient servant,

H. WINGATE, *President.*

Mr. Guthrie presented the petition of John Thomas and others, praying that a law may pass incorporating “the Louisville Floating Dock Company.”

Which was received and referred to the committee of Courts of Justice.

Mr. Bush from the joint committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act to authorize the editor of the Russellville Advertiser to publish advertisements.

An act to alter the time of holding the Harrison county court.

An act to alter the limits of the town of Cadiz.

An act to allow three additional terms to the Boone county court.

An act to enable the clerk of the general court to renew his official bond.

An act to change the place of voting in the upper election precinct in Monroe county.

An act to reduce the number of magistrates in Muhlenburg county; and

An act to repeal an act entitled, an act to enlarge the constable's district, in the town of Bowlinggreen, approved November 11th, 1825.

And had found the same truly enrolled; and that said bills had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Bush reported that the committee had performed that duty.

Mr. Guthrie from the committee of Courts of Justice, to whom was referred a bill for the better confirmation of the estates of persons holding or claiming under conveyances from married women, and under conveyances not recorded in proper time, reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time to-morrow.

On the motion of Mr. Guthrie, the committee of Courts of Justice, was discharged from the duty of preparing and bringing in a bill to change the law in relation to taking votes at the election precincts in the Commonwealth of Kentucky.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of the heirs of Andrew Campbell, deceased.

And an act authorizing the conveyance of a tract of land belonging to the heirs of David Meriwether.

Reported the same with the opinion of the committee that they ought not to pass.

The question being taken on reading the said bills a third time, it was decided in the negative, and so the said bills were disagreed to.

Mr. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to provide for the collection of judgments rendered by justices of the peace in certain cases, reported the same, with the opinion of the committee that it ought not to pass.

The said bill is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That in all cases where judgments have been or may

hereafter be recovered before a justice of the peace, and execution returned thereon, "no property found," it shall be lawful for the plaintiffs in said judgments, or the person having the benefit thereof, to file with the clerk of the circuit court of the county, in which said judgments may have been rendered, a full and entire copy of the record of the same, including executions and the return thereon; whose duty it shall be to file the same among the records of his office. And the clerk of said court shall have power and authority to issue executions upon said judgments, in the same manner (which judgments and executions shall have the same effect, and be governed by the same laws) as though the said judgment had been rendered by the circuit court.

The question being taken on reading the said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. Willis and Guthrie, were as follows, viz:

YEAS—Messrs. James, Miller and Watkins—3.

NAYS—MR. SPEAKER, Messrs. Boyd, Bramlette, Carter, Daviess, Gilbert, Guthrie, Hanson, Harreld, Jessup, Lusk, Lyon, McDonald, May, Metcalfe, Morehead, Morgan, Murrell, Parker, Patterson, Sisk, Smith, Southgate, Thornton, Willis, Wingate, A. Young and S. Young.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Henrietta White, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill from the House of Representatives, entitled, an act to revive and amend an act, entitled, an act regulating the public roads and highways in Bracken county, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. May, from the committee to whom was referred a bill from the House of Representatives, entitled, an act to allow an addi-

tional justice of the peace to the county of Lawrence, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title be amended to read, an act to allow additional justices of the peace to the counties of Lawrence and Morgan.

A message was received from the Lieutenant and acting Governor, by Mr. Cox, Assistant Secretary of State, announcing that he did, on the 5th instant, approve and sign enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to allow the Independent Banks of this Commonwealth, further time to collect and settle their concerns.

A resolution to appoint a joint committee to examine the situation of the Public Arms.

And an act to extend the January term of the General court, and for other purposes.

A message in writing was received from the Lieutenant and acting Governor, by Mr. Cox, Assistant Secretary of State.

The rule of the Senate having been dispensed with, the said message was taken up, and read as follows, viz:

Gentlemen of the Senate—

I nominate, for your advice and consent, *James E. Davis*, to be Mayor of the city of Lexington, for the year ensuing.

Manlius V. Thompson, to be Chairman of the Board of Trustees of the town of Georgetown.

J. T. MOREHEAD.

January 6, 1836.

Resolved, That the Senate advise and consent to the said appointments.

Ordered, That Mr. Daviess inform the Lieutenant and acting Governor thereof.

On the motion of Mr. Metcalfe,

Resolved, That the committee on Internal Improvement be instructed to inquire into the expediency of causing an examination and survey to be made of the most suitable route for the location of a Rail Road from the city of Maysville through Lexington, in a direction to Nashville, so as to meet the contemplated Rail Road from New Orleans, when the same shall be extended towards Louisville or Lexington, to the State line of Kentucky, and that they have leave to report by bill or otherwise.

Mr. Willis, from the committee appointed for that purpose, reported a bill to establish election precincts in Hart and Nelson counties.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Metcalfe, moved the following resolution, viz:

Resolved, That the Speaker of the Senate invite Colonel Blanding of South Carolina, to occupy a seat in the Senate, wherever it may be his pleasure to do so; and to inform him, that when the bill to incorporate the Cincinnati and Charleston Rail Road Company shall be under consideration, the Senate in committee of the whole, *or otherwise*, will be happy to hear any remarks that Colonel Blanding may think proper to make in relation to this important and interesting subject.

On the motion of Mr. Thornton, the said resolution was amended by striking out the words, "*or otherwise*," printed in italics.

Mr. Willis, moved to amend the said resolution, by striking out the following words, viz:

"And to inform him that when the bill to incorporate the Cincinnati and Charleston Rail Road Company, shall be under consideration, the Senate in committee of the whole will be happy to hear any remarks that Colonel Blanding may think proper to make in relation to this important and interesting subject."

The question being taken on the said amendment, it was decided in the negative, and so the said amendment was rejected.

The yeas and nays being required thereon by Messrs. Hanson and Willis, were as follows, viz:

YEAS—MR. SPEAKER, MESSRS. Boyd, Bramlette, Carter, Guthrie, Harreld, James, Lyon, Murrell, Willis and S. Young—11.

NAYS—Messrs. Bush, Daviess, Gilbert, Grider, Hanson, Jessup, Lusk, McHenry, May, Metcalfe, Miller, Morehead, Parker, Patterson, Smith, Southgate, Thornton, Watkins, Wingate and A. Young—20.

The said resolution was then adopted.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Bush—1. A bill to establish and improve a State road from Landing, in Boone county, to intersect the Covington and Lexington turnpike road.

On the motion of Mr. Guthrie—2. A bill to incorporate the Western Navigation Company.

On the motion of Mr. Wingate—3. A bill to incorporate a company to construct a turnpike road from Frankfort to Owenton, in Owen county, Kentucky.

On the motion of Mr. Gilbert—4. A bill for the benefit of the widow and heirs of Samuel Woods, deceased.

And on the motion of Mr. Lyon—5. A bill subjecting the county levy on all slaves hired at the Iron Works, in Caldwell and Livingston counties, in said counties.

Messrs. Bush, Patterson and Wingate were appointed a committee to prepare and bring in the first; Messrs. Guthrie, Thornton and Willis, the second; Messrs. Wingate, Bush and May, the third; Messrs. Gilbert, Miller and A. Young, the fourth, and Messrs. Lyon, Watkins and James, the fifth.

The Speaker laid before the Senate, the report of the President of the (old) Bank of Kentucky, which is as follows, viz.

BANK OF KENTUCKY, }
December 5, 1835. }

SIR:—Enclosed I transmit, for the information of the Senate, a Statement of the condition of this Institution on the 31st ultimo. The stock now held in this Institution is 15,438 shares, amounting nominally to the sum of \$268,139, of which the State owns 5,967 shares, amounting to \$104,422 50.

The "current profits" of the Institution for the year ending the 31st ultimo, amounts to \$10,567 67, and the "expenses" for the same period to \$4,224 92, showing a net gain of clear profit of \$6,342 75 and exceeds the net profits of the previous year the sum of \$4,035 53. This result has been produced more by the final close of many debts due the Bank, than by a diminution of its expenditures. It may be well to remark here that the "current expenses" embrace every species of expenditure, whether in the form of salaries, attorneys, clerks and sheriffs' fees, and all incidental expenses.

With a view of further diminishing the expenses of the Institution, the office of clerk was discontinued on the 7th day of July last.

There has been collected within the year the sum of \$59,866 84, and real estate sold and most of the money paid, to the amount of \$18,981, while the notes of the corporation presented for redemption, redeemed by payment, and subsequently burnt in the presence of the Auditor and Treasurer, amounts to the sum of \$105 50 only, leaving outstanding the sums of \$30,960 39, a very small proportion of which, I confidently believe, will ever be presented for payment.

Since the adjournment of the last Legislature, a distribution of \$2 50, per share, has been declared by the President and Directors, and

the State through her Treasurer, has received the sum of \$14,917 50, its portion of such distribution.

I had the honor of presenting to the Legislature, at the commencement of its present session, a memorial of the President, Directors, and Stockholders, setting forth their views in relation to the final close of the concerns of the Bank, to which I refer your honorable body. That memorial supersedes the necessity of my adding any thing, except to express an earnest desire, that the subject shall be so disposed of, as to promote the interest of the individual and corporate stockholders, and that of the commonwealth.

I have the honor to be,

with perfect respect,

P. DUDLEY, *President.*

HON. WM. B. BLACKBURN,

Speaker of the Senate.

*Statement of the situation of the Bank of Kentucky
December 31, 1835.*

Due to other Banks,	\$ 1,278 82	Current Expenses,	\$ 4,224 92
Notes Issued,	30,960 39	Due from other Banks,	48,268 99
Surplus Profits,	241,175 29	Real Estate,	151,272 12
Current Profits,	10,567 67	Loss on Real Estate,	40,231 56
Stock,	268,139 00	Defalcations at Branches,	20,678 67
Due to Individuals,	64,936 63	Due from Individuals,	345,089 52
		Cash on hand,	
		Silver,	10 46
		Gold,	10 00
		Com'wealth.	
		Notes,	101 56
		U. States and	
		Ky. Notes,	7,170 00
			7,292 02
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	\$617,057 80		\$617,057 80

Att,

H. BLANTON, *Cashier.*

Mr. McHenry, from the committee appointed for that purpose, reported a bill to establish a Board of Internal Improvement for Cumberland river, which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Internal Improvements.

On the motion of Mr. Lyon,

Resolved, That the Lieutenant and acting Governor of this Com-

monwealth, be requested to cause a national salute to be fired on the public square, in the town of Frankfort, on the 8th inst. in commemoration of the victory at New Orleans on the 8th day of January, 1815.

And then the Senate adjourned.

THURSDAY, JANUARY 7, 1836.

1. Mr. Thornton presented the petition of Philip King, praying that a law may pass, restoring him to the rights and privileges of an unmarried man, his late wife, Louisa King, having obtained a divorce from him.

2. Mr. Morehead presented the petition of Martha Gilbert and Lucius D. Gilbert, (the said Lucius being under twenty-one years of age) praying that a law may pass authorizing the sale of a negro man devised to them by Martin Gilbert, deceased.

3. Mr. Morehead presented the petition of Lewis Ragsdale, praying for a divorce from his wife Nancy Ragsdale, and

4. Mr. Bramlette presented the petition of sundry citizens of the counties of Cumberland and Wayne, praying for the formation of a new county, out of a part of each of said counties.

Which petitions were severally received, the first and third, were referred to the committee of Religion; the second, to the committee of Courts of Justice, and the fourth, to the committee of Propositions and Grievances.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill to incorporate a company to turnpike a road from Greensburg, by way of Columbia, Jamestown, and Monticello, to the Tennessee State line in a direction to Knoxville, reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Metcalfe, from the same committee, to whom was referred the joint resolutions, offered by Mr. McHenry, in relation to the improvement of the navigation of Cumberland river, reported the same with an amendment, as a substitute for the said resolutions; the said amendment was twice read and concurred in, and

the said resolutions as amended, were then adopted, and are as follows, viz:

Whereas, with the view of promoting facilities of domestic intercourse, and to connect ourselves with the markets of other States, the State of Kentucky has commenced a general system of Internal Improvement; and whereas, the Cumberland river washes a large portion of Kentucky, abounding extensively in lumber, stone coal, copperas, alum and iron ore, of fine quality; but at the present time, owing to the expense, difficulty and danger of getting to market, those resources are, to a great extent, unproductive and of partial use to the country; and whereas, it is proposed to connect the counties in Kentucky adjacent to the southern boundary with the State of Tennessee, by means of Turnpike roads, charters for which have either passed or are pending—but the General Assembly of Kentucky is not advised, what measures have been taken by the Legislature of Tennessee, to open the navigation of the Cumberland river above Nashville, nor what measures may be taken to continue the roads leading from Kentucky to Tennessee—and deeming it of great importance that those roads should be continued from the Tennessee line to points of destination in the State of Tennessee, most eligible for the advancement of the commerce of the two States:—

Resolved, That the expediency of opening the navigation of the Cumberland river from the line of boundary, between Kentucky and Tennessee, agreeably to the plan proposed by the Engineer of the United States, who lately surveyed said river, be respectfully submitted to the Legislature of the State of Tennessee; and that the attention of the Legislature of that State, be also requested to the extension of the roads before mentioned, through the said State, so that a free and continuous intercourse may be afforded to the citizens of the States respectively.

Resolved, That the Lieutenant and acting Governor, be requested to transmit a copy of the foregoing preamble and resolutions, to the Governor of Tennessee, to be laid before the Legislature of that State, for its consideration.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred a bill from the House of Representatives entitled, an act to permit James White to import his negroes into this Commonwealth, to work at his salt works in Clay county, Kentucky, reported the same with the opinion of the committee, that it ought not to pass.

The question being taken on reading the said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

On the motion of Mr. Murrell, who voted in the majority, the said vote was reconsidered.

Mr. Smith, moved to refer the said bill to a select committee.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Smith and Parker, were as follows, viz:

YEAS—Messrs. Boyd, Carter, Gilbert, McHenry, Miller, Patterson, Sisk, Smith, Southgate, Watkins and Willis—11.

NAYS—MR. SPEAKER, Messrs. Bramlette, Bush, Daviess, Grier, Guthrie, Hanson, Harreld, Jessup, Lusk, Lyon, McDonald, May, Metcalfe, Morehead, Murrell, Parker, Thornton, Wingate, A. Young and S. Young—21.

The question being again taken on reading the said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. James, from the committee to whom was referred a bill from the House of Representatives, entitled, an act for changing the time of holding the Graves county courts, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title be amended to read, "an act for changing the time of holding the Graves and Hickman county courts."

Mr. Murrell, from the committee, to whom referred a bill from the House of Representatives, entitled, an act for the benefit of Bartlett L. Graves, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill, having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing the passage of bills of the following titles, viz:

1. An act to dispose of certain lands of John Lea, deceased.
2. An act to for the benefit of Matthew Robertson.
3. An act allowing additional constables to certain counties; and
4. An act to establish an election precinct in Marion county.

The said bills were severally read the first time, and the first, second and fourth, were ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the first and second bills, having been dispensed with, they were referred to the committee of Courts of Justice.

The rule of the Senate, constitutional provision, and second and third readings of the fourth bill having been dispensed with,
Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The question being taken on reading the third bill a second time, it was decided in the negative, and so the said bill was disagreed to.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Bush—1. A bill to establish and improve the State road from Landing, Boone county, to intersect the Covington and Lexington turnpike road.

By Mr. Guthrie—2. A bill to incorporate a company to construct a turnpike from Taylorsville, in Spencer county, to intersect the turnpike from Bardstown to Louisville.

By Mr. Lyon—3. A bill subjecting to county levy, all slaves hired at the Iron Works, in Caldwell and Livingston counties, in said counties.

And by Mr. Guthrie—4. A bill to incorporate the Western Navigation Company.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, the first and second were referred to the committee of Internal Improvements; the third to the committee of Finance, and the fourth to the committee of Courts of Justice.

Mr. Miller, having obtained leave, reported a bill to regulate the compensation of the members of the Legislature, which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Propositions and Grievances.

Leave was given to bring in the following bills, viz:

On the motion of Mr. James—1. A bill to authorize the citizens of the town of Columbus, in the county of Hickman, to elect their trustees.

On the motion of Mr. Parker—2. A bill to amend the charter of the city of Maysville.

On the motion of Mr. Carter—3. A bill to amend an act, entitled, an act to incorporate the Carlisle, Flemingsburg and Greenupsburg turnpike road company, approved 28th February, 1835.

On the motion of Mr. Guthrie—4. A bill to amend the charter of the Bardstown and Louisville turnpike company.

On the motion of Mr. McDonald—5. A bill to incorporate a

company to construct a turnpike road from Springfield to Maxville, and thence to intersect the Crab Orchard road at Harrodsburg.

On the motion of Mr. Gilbert—6. A bill for the benefit of the surveyor of Clay county, and to legalize the proceedings of the same.

On the motion of Mr. Murrell—7. A bill to incorporate a company to turnpike a road from Bardstown, by way of Glasgow, to the Tennessee State line, in a direction to Gallatin.

And on the motion of Mr. Guthrie—8. A bill to prohibit the entry of any land within the boundary of any survey and patent heretofore granted within the State.

Messrs. James, Lyon and Harreld, were appointed a committee to prepare and bring in the first; Messrs. Parker, Morgan and Metcalfe, the second; Messrs. Carter, Wingate and Metcalfe, the third; Messrs. Guthrie, S. Young and Boyd, the fourth; Messrs. McDonald, Daviess and Lusk, the fifth; Messrs. Gilbert, Lusk and Miller, the sixth; Messrs. Murrell, S. Young and Guthrie, the seventh, and the Committee of Courts of Justice, was directed to prepare and bring in the eighth.

A bill to incorporate the Franklin Bridge Company, was read the second time, amended, and ordered to be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A bill to amend an act entitled, an act to incorporate the Newport manufacturing company, was read the second time, and referred to the committee of Courts of Justice.

An engrossed bill entitled, an act for the better confirmation of the estates of persons holding or claiming under conveyances from married women, and under conveyances not recorded in proper time, was read the third time.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. May, from the committee appointed for that purpose, reported a bill for the benefit of the State road leading to the Virginia line, from Mountsterling, through Prestonsburg and Pikeville, which was read the first time, and ordered to be read a second time.

The rule of Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Internal Improvements.

And then the Senate adjourned.

FRIDAY, JANUARY 8, 1836.

The Speaker laid before the Senate the annual report of the Shelbyville and Louisville turnpike road company, which is as follows, viz:

Annual Statement of the affairs of the Shelbyville and Louisville Turnpike Road Company, for the year ending 1st of October, 1835.

Amount of Tolls received from the 1st October 1834, to the 1st October 1835,	\$ 10,512 15
Amount paid to the Bank United States; balance of Loans to complete the road,	2,000 00
Amount paid for repairs of road and to gate keepers, and incidental expenses,	4,992 29
Salary paid to the President and the Treasurer of the company,	400 00
Dividend of one per centum declared 1st April 1835,	1,048 00
Dividend of two per centum declared 1st October 1835,	2,096 00
Balance cash on hand 1st October 1835,	534 39

Attest,

GEO. W. MERIWETHER, *President.*

The Speaker laid before the Senate the report of the commissioners of the Lunatic Asylum, which is as follows, viz:

To the Honorable, the General Assembly of the Commonwealth of Kentucky.

The Commissioners of the Lunatic Asylum, agreeably to the act of assembly, 1824, respectfully beg leave to submit the following report.

The accompanying document, marked A, exhibits a list of patients who have received the benefits of this institution for the past year, with the time of admission, disease, sex, age, the county from whence they came; with remarks upon the present state of such as remain in the hospital, those that have been discharged or died; from which, it appears that 54 have been received, making, together with 84 remaining at last report, 138; of whom, 19 have been discharged, 5 eloped, and

21 died, leaving 93 now in the house, to-wit: 44 males and 49 females, of whom, 20 are boarders. Since the opening of the house in 1824, 502 have been admitted, 219 discharged and eloped, and 190 died.

Your commissioners refer you to the document marked B, showing the financial accounts of the Institution for the past year. The receipts for debts due by boarders, together with the balance on hand last year, amount to five thousand, eight hundred and twelve dollars, fifty-three and a quarter cents; and the expenditure to five thousand, nine hundred and thirteen dollars, sixty-two and a half cents—leaving a balance due the chairman of one hundred and one dollars, nine and a quarter cents. The appropriation of last year not having been drawn, that, together with two thousand dollars, will be sufficient for the support of the institution for the ensuing year.

As regards the appropriation for the purchase of additional ground, putting a secure fence around the present grounds, and to have the property insured against loss by fire, has not been drawn, being entirely inadequate to effect the object. We have insured the property with the Franklin Insurance Company of Philadelphia, to the amount of twenty thousand dollars, at one per cent premium, which has been paid by the chairman, and will be deducted out of the appropriation for the support of the institution.

Your commissioners request your attention to the appendix accompanying this report. By No. 6, is shown the expense of the Hospital from its opening to the present time: and, in presenting this their twelfth annual report, beg leave to congratulate you that the benevolent intentions of the Legislature have been accomplished, namely, to provide a secure and comfortable asylum for the afflicted, and that at a comparative small expense to the Commonwealth.

All which is respectfully submitted by

JOHN W. HUNT, *Chairman*.
JOHN BRAND,
THO. P. HART,
S. CHIPLEY,
R. HIGGINS.

LEXINGTON, January 4th, 1836.

[For the papers referred to in the foregoing letter, see folding sheet hereto annexed.]

The Speaker laid before the Senate, a letter from the President of the Louisville Savings Institution, enclosing a statement of the condition of that Institution, which letter and statement are as follows, viz:

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Post Office Department,
Public Officers,

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21,017 94

[A.]

List of Patients who have enjoyed the benefits of the Institution from 1st January, 1835, to 1st January, 1836.

DATE.	DISEASE.	SEX.	AGE.	No.	COUNTY.	REMARKS.
May 4, 1824,	Idiocy.	F	20	5	Breckenridge,	Jan. 1, 1836, remains stationary—works well.
July 20, 1824,	Catamenia.	F	39	25	Clark,	do. do.
Oct. 23, 1824,	Mania.	F	30	40	Madison,	do. do.
Nov. 25, 1824,	do.	M	40	50	Fayette,	do. do. works well.
Jan. 25, 1825,	Idiocy.	F	39	55	Shelby,	do. do.
June 15, 1825,	Mania.	M	36	73	Warren,	do. do.
April 4, 1826,	do.	M	25	101	Jefferson,	Sept. 4, 1835, died of atrophy.
Oct. 21, 1826,	do.	F	38	117	do.	Jan. 1, 1836, remains stationary.
Oct. 21, 1826,	do.	M	51	125	do.	Oct. 16, 1835, died, disease of the heart.
May 10, 1827,	Epilepsy.	F	35	139	Fayette,	Jan. 1, 1836, remains stationary—works well.
May 29, 1827,	Puerperil.	F	54	140	Washington,	Feb. 14, 1835, died, epileptic fit.
June 13, 1827,	Idiocy.	M	32	144	Pendleton,	Jan. 1, 1836, remains stationary.
July 7, 1827,	do.	F	51	149	Fayette,	do. do. works.
Oct. 6, 1827,	Mania.	F	66	155	Christian,	do. do.
Nov. 2, 1827,	Idiocy.	F	16	157	Breckenridge,	do. do. works.
Nov. 23, 1827,	Mania.	F	49	159	Logan,	do. do.
Dec. 23, 1827,	Doloro.	F	44	161	McCracken,	do. do.
Feb. 15, 1828,	Mania.	M	46	165	Mississippi,	do. do.
April 10, 1828,	do.	F	46	168	Barren,	do. do. works.
May 7, 1828,	do.	F	37	173	Laurel,	do. do.
Aug. 4, 1828,	Idiocy.	F	47	183	Wayne,	do. do.
Oct. 2, 1828,	Mania.	M	39	193	Barren,	do. do. works.
April 29, 1829,	A potu.	M	24	208	Jefferson,	do. do.
May 20, 1829,	Mania.	F	41	210	Logan,	do. do.
July 25, 1829,	do.	F	38	220	Simpson,	do. do.
Sep. 5, 1829,	Epilepsy.	F	20	224	Mercer,	do. do.
April 21, 1830,	Mania.	F	57	249	do.	do. do.
June 24, 1830,	do.	F	43	254	do.	do. do. works some.
Sep. 2, 1830,	Epilepsy.	F	38	261	Spencer,	do. do.
Oct. 2, 1830,	do.	M	37	263	Mercer,	do. do. works well.
Oct. 2, 1830,	do.	F	42	268	Ohio,	do. do.
Oct. 2, 1830,	do.	M	28	272	Jefferson,	do. do.
Jan. 23, 1831,	Mania.	M	45	285	Pike,	do. do.
May 2, 1831,	do.	M	30	290	Mercer,	Jan. 1, 1835, died of atrophy.
July 16, 1831,	Epilepsy.	M	39	309	Fayette,	Dec. 1, 1835, taken home by friends.
Nov. 21, 1831,	Mania.	M	37	311	Allen,	Jan. 1, 1836, remains stationary.
Dec. 11, 1831,	do.	F	29	323	Bourbon,	Nov. 18, 1835, died of dropsy.
Dec. 11, 1831,	do.	M	29	323	Tennessee,	Jan. 1, 1836, remains stationary.
March 31, 1832,	do.	F	41	328	do.	do. do.
Aug. 21, 1832,	Epilepsy.	M	36	338	Mason,	do. do.
Oct. 19, 1832,	Mania.	F	28	348	Woodford,	do. do.
Oct. 19, 1832,	do.	F	38	349	Fayette,	do. do.
Dec. 11, 1832,	Idiocy.	F	38	354	do.	do. do.
April 22, 1833,	Mania.	M	23	368	Nelson,	do. do.
July 31, 1833,	Idiocy.	M	25	374	Shelby,	do. do. works some.
Sep. 4, 1833,	Mania.	F	34	379	Allen,	Nov. 13, 1835, died of atrophy.
Sep. 30, 1833,	do.	M	35	384	Indiana,	Oct. 5, 1835, do.
Nov. 6, 1833,	do.	M	36	388	Fayette,	Jan. 1, 1836, remains stationary.
Nov. 25, 1833,	Idiocy.	M	21	392	Rockcastle,	do. do.
Nov. 29, 1833,	Mania.	M	47	394	Fayette,	Jan. 6, 1835, died of apoplexy.
Feb. 23, 1834,	do.	F	37	398	Hart,	Jan. 1, 1836, remains stationary.
March 19, 1834,	do.	F	29	400	Fayette,	do. do.
April 2, 1834,	do.	M	26	402	Barren,	do. do.
April 4, 1834,	Idiocy.	F	41	403	Bracken,	do. do.
April 10, 1834,	Mania.	M	31	404	Greenup,	Jan. 16, 1835, died of atrophy.
April 21, 1834,	Idiocy.	F	21	406	Livingston,	Jan. 1, 1836, remains stationary.
April 24, 1834,	Mania.	F	26	407	Jessamine,	do. do.
May 1, 1834,	do.	F	31	408	Logan,	do. do. works well.
May 10, 1834,	Idiocy.	F	45	409	Campbell,	do. do.
May 17, 1834,	Mania.	F	23	410	Owen,	do. do.
May 30, 1834,	do.	F	35	413	Spencer,	June 3, 1835, taken home—stationary.
June 14, 1834,	do.	F	25	414	Franklin,	Jan. 1, 1836, remains stationary.
June 21, 1834,	do.	M	32	418	Harrison,	Jan. 29, 1835, died, inflammation of lungs.
June 25, 1834,	Idiocy.	F	31	419	Nicholas,	Jan. 1, 1836, remains stationary.
June 26, 1834,	Mania.	F	22	420	Fayette,	do. do.
July 14, 1834,	Idiocy.	M	20	424	Bourbon,	July 5, 1835, died of atrophy.
July 31, 1834,	Mania.	M	22	427	Jessamine,	Nov. 23, 1835, do.
Aug. 11, 1834,	Idiocy.	M	18	428	Breckenridge,	Oct. 12, 1835, do.
Aug. 15, 1834,	do.	M	16	429	Cumberland,	Jan. 1, 1836, remains stationary.
Aug. 20, 1834,	Mania.	M	27	430	Fayette,	do. do.
Aug. 24, 1834,	do.	M	39	432	Simpson,	do. do.
Sep. 7, 1834,	Epilepsy.	M	36	433	Shelby,	do. do.
Sep. 19, 1834,	Mania.	F	25	434	Fleming,	do. do.
Oct. 14, 1834,	Idiocy.	F	20	437	Allen,	do. do.
Nov. 1, 1834,	Mania.	M	21	439	Greenup,	May 17, 1835, died of atrophy.
Nov. 4, 1834,	do.	M	24	440	Shelby,	Oct. 4, 1835, discharged well.
Nov. 7, 1834,	do.	M	22	441	Henry,	do. do.
Nov. 13, 1834,	do.	M	28	442	Daviess,	Oct. 20, 1835, eloped.
Dec. 2, 1834,	do.	M	70	443	Indiana,	March 24, 1835, died of atrophy.
Dec. 18, 1834,	A potu.	M	26	444	Fleming,	Jan. 7, 1835, eloped.
Dec. 24, 1834,	Puerperil.	M	27	445	Montgomery,	Jan. 8, 1835, do.
Dec. 27, 1834,	Mania.	M	27	446	Clarke,	Jan. 11, 1835, died, epileptic fit.
Dec. 30, 1834,	do.	F	34	447	Missouri,	Sept. 1, 1835, taken away improved.
Jan. 12, 1835,	do.	M	25	448	Tennessee,	Jan. 1, 1836, remains stationary.
Jan. 12, 1835,	do.	M	28	449	Lewis,	Aug. 22, 1835, taken away—stationary.
Jan. 19, 1835,	do.	M	46	449	Jefferson,	Nov. 14, 1835, died, paralysis.
Feb. 20, 1835,	do.	M	33	450	do.	Jan. 1, 1836, remains stationary.
Feb. 22, 1835,	do.	M	31	451	Bourbon,	do. do.
March 13, 1835,	Idiocy.	M	26	452	Hart,	Oct. 27, 1835, taken away—stationary.
March 13, 1835,	Mania.	M	36	453	Jessamine,	Jan. 1, 1836, remains improved.
March 17, 1835,	Idiocy.	F	25	454	Warren,	do. do. works.
March 20, 1835,	do.	F	66	455	Christian,	Oct. 22, 1835, discharged well.
March 26, 1835,	do.	M	28	456	Fayette,	Oct. 29, 1835, died of atrophy.
March 31, 1835,	Idiocy.	M	36	457	Harrison,	July 9, 1835, died, inflammation.
April 1, 1835,	do.	F	27	458	Nicholas,	Jan. 1, 1836, remains stationary.
April 28, 1835,	Epilepsy.	F	44	459	do.	do. do.
May 10, 1835,	Catamenia.	F	25	460	McCracken,	do. do.
May 22, 1835,	do. relapse.	F	26	461	Campbell,	do. do.
May 23, 1835,	Epilepsy.	F	20	462	Shelby,	do. do.
May 25, 1835,	Mania.	F	20	463	Jessamine,	do. do.
May 26, 1835,	Idiocy.	M	32	464	Harrison,	Oct. 31, 1835, taken away—stationary.
June 10, 1835,	Mania.	M	20	465	Montgomery,	Jan. 1, 1836, remains stationary—works.
June 13, 1835,	Epilepsy.	F	36	466	Hopkins,	do. do.
June 16, 1835,	Mania.	M	22	467	Warren,	do. do.
June 20, 1835,	A potu.	M	46	468	Mason,	Sept. 29, 1835, eloped.
July 3, 1835,	Catamenia.	M	30	469	Anderson,	Aug. 7, 1835, discharged well.
July 9, 1835,	A potu.	F	41	470	Trigg,	Jan. 1, 1836, remains stationary.
July 17, 1835,	Puerperil.	M	53	471	Woodford,	Aug. 11, 1835, discharged well.
July 20, 1835,	Mania.	F	21	473	Shelby,	Sept. 29, 1835, taken home—stationary.
July 20, 1835,	A potu.	M	65	474	Fayette,	Jan. 1, 1836, remains stationary.
July 31, 1835,	do.	M	25	475	Franklin,	do. do.
Aug. 5, 1835,	Mania.	M	26	476	Campbell,	Oct. 4, 1835, discharged well.
Aug. 22, 1835,	do. grief.	F	37	477	Fayette,	Sept. 1, 1835, discharged well.
Aug. 26, 1835,	Mania.	F	41	478	Woodford,	Jan. 1, 1836, remains stationary.
Aug. 26, 1835,	do.	M	31	479	Jefferson,	do. do.
Sep. 4, 1835,	do.	M	29	480	Montgomery,	do. do.
Sep. 10, 1835,	A potu.	M	50	481	Warren,	do. do.
Sep. 10, 1835,	Ma. hered.	F	32	482	Jefferson,	Oct. 26, 1835, discharged well.
Sep. 13, 1835,	Rel. Mania.	M	40	483	Madison,	Jan. 1, 1836, remains stationary—killed a man.
Sep. 28, 1835,	A potu.	M	21	484	Garrard,	Oct. 2, 1835, taken home improved.
Sep. 29, 1835,	do.	M	23	485	Fayette,	Dec. 14, 1835, discharged well.
Oct. 23, 1835,	Rel. Mania.	M	39	486	Garrard,	Oct. 24, 1835, eloped.
Oct. 26, 1835,	Ma. hered.	M	21	487	do.	Dec. 15, 1835, taken home by friends.
Oct. 30, 1835,	Idiocy.	M	19	488	Bourbon,	Dec. 4, 1835, discharged well.
Oct. 30, 1835,	Mania.	F	14	489	Bath,	Dec. 3, 1835, died of atrophy.
Nov. 4, 1835,	Idiocy.	F	50	490	Shelby,	Nov. 20, 1835, do.
Nov. 7, 1835,	do.	M	10	491	Wayne,	Jan. 1, 1836, remains stationary.
Nov. 9, 1835,	do.	F	50	492	Bourbon,	do. do.
Nov. 13, 1835,	Mania.	M	15	493	Todd,	do. do.
Nov. 14, 1835,	A potu.	M	31	494	Harrison,	do. do.
Nov. 18, 1835,	Idiocy.	M	27	495	Jefferson,	do. do. improved.
Nov. 21, 1835,	Monomania.	M	25	496	Hart,	remains stationary—works.
Nov. 21, 1835,	Idiocy.	M	36	497	Scott,	do. do.
Dec. 7, 1835,	A potu.	M	15	498	Fayette,	do. do.
Dec. 11, 1835,	Furious Ma.	M	33	499	Hickman,	do. do.
Dec. 17, 1835,	Her. Mania.	M	45	500	Morgan,	do. do.
Dec. 28, 1835,	Jealousy.	M	19	501	Bourbon,	do. do.
		M	23	502	Campbell,	do. do.

Remain—Males 44
Females 49

93

Remained in the Hospital 31st Dec. 1834, viz:		Old Cases.		Recent Cases.		Total.	
		M.	F.	M.	F.	M.	F.
Received since, and up to 31st Dec. 1835,		39	41	3	1	42	42—84
		21	11	16	6	37	17 54
Total patients, 1835,		60	52	19	7	79	59 138
Of whom have died,		16	4	0	1	16	5 21
		44	48	19	6	63	54 117
Discharged,		3	1	11	4	14	5 19
		41	47	8	2	49	49 98
Eloped,		2	0	3	0	5	0 5
		39	47	5	2	44	49 93
Remain 31st Dec. 1835,		39	47	5	2		
Since the opening of the Asylum in May, 1824, there have been admitted:							
Patients—Males,		334					
Females,		168				502	
Of whom have died,		190					
Been discharged,		186					
Eloped,		33					
						409	

Lexington, 4th Jan. 1836.

Remain, 93

[B.]

An Abstract

Of the Receipts and Expenditures of the Lunatic Asylum, for the year ending 31st Dec. 1835.

CHARGE.		DISCHARGE.	
To balance in Chairman's hands 31st Dec. 1834, per report to Assembly last session,	\$2,553 94	By amount paid for Clothing,	\$ 553 46
To cash received from sundries on account of patients, for board, clothing, &c. furnished,	2,958 58	do. " Provisions,	1,719 32
To balance due Chairman,	101 09	do. " Furniture and Bedding,	439 10
		do. " Salaries and Hire,	579 62
		do. " Medicine and Attendance,	236 37
		do. " Fuel,	998 05
		do. " Conveying Patients,	523 50
		do. " Repairs,	67 37
		do. " Extras,	206 80
			\$5,913 62
Jan. 1, 1836. By balance brought down,	\$ 101 09		

JOHN W. HUNT, Chairman.
JOHN BRAND,
THO. I. HART,
S. CHITLEY,
R. HIGGINS.

Lexington, January 1st, 1836.

APPENDIX.

No. 1.

Shewing the Monthly and Yearly Admissions for 12 years.

Showing the Monthly and Yearly Totals													
Years.	Jan'y.	Feb'y.	March.	April.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Total.
1824	0	0	0	0	14	7	6	3	5	8	8	3	54
1825	3	2	2	3	5	7	1	0	5	3	3	2	39
1826	1	4	3	3	0	4	3	1	3	4	2	4	33
1827	4	0	4	3	2	1	3	1	0	2	5	2	38
1828	0	0	1	2	5	8	2	6	1	2	3	3	35
1829	2	3	3	4	3	2	3	2	6	6	5	0	41
1830	0	1	2	2	4	3	3	1	2	5	1	2	31
1831	0	3	2	7	3	5	3	6	4	3	4	4	43
1832	1	3	3	4	2	0	3	5	7	7	1	3	42
1833	3	1	3	4	1	0	4	7	3	7	2	5	40
1834	4	1	4	4	1	0	3	6	2	4	4	5	52
1835	1	3	6	6	5	8	6	6	4	2	4	4	54
1836	3	2	6	1	5	5	6	4	6	4	8	4	51
1837	3	2	6	1	5	5	6	4	6	4	8	4	51
1838	3	2	6	1	5	5	6	4	6	4	8	4	51
1839	3	2	6	1	5	5	6	4	6	4	8	4	51
1840	3	2	6	1	5	5	6	4	6	4	8	4	51
1841	3	2	6	1	5	5	6	4	6	4	8	4	51
1842	3	2	6	1	5	5	6	4	6	4	8	4	51
1843	3	2	6	1	5	5	6	4	6	4	8	4	51
1844	3	2	6	1	5	5	6	4	6	4	8	4	51
1845	3	2	6	1	5	5	6	4	6	4	8	4	51
1846	3	2	6	1	5	5	6	4	6	4	8	4	51
1847	3	2	6	1	5	5	6	4	6	4	8	4	51
1848	3	2	6	1	5	5	6	4	6	4	8	4	51
1849	3	2	6	1	5	5	6	4	6	4	8	4	51
1850	3	2	6	1	5	5	6	4	6	4	8	4	51
1851	3	2	6	1	5	5	6	4	6	4	8	4	51
1852	3	2	6	1	5	5	6	4	6	4	8	4	51
1853	3	2	6	1	5	5	6	4	6	4	8	4	51
1854	3	2	6	1	5	5	6	4	6	4	8	4	51
1855	3	2	6	1	5	5	6	4	6	4	8	4	51
1856	3	2	6	1	5	5	6	4	6	4	8	4	51
1857	3	2	6	1	5	5	6	4	6	4	8	4	51
1858	3	2	6	1	5	5	6	4	6	4	8	4	51
1859	3	2	6	1	5	5	6	4	6	4	8	4	51
1860	3	2	6	1	5	5	6	4	6	4	8	4	51
1861	3	2	6	1	5	5	6	4	6	4	8	4	51
1862	3	2	6	1	5	5	6	4	6	4	8	4	51
1863	3	2	6	1	5	5	6	4	6	4	8	4	51
1864	3	2	6	1	5	5	6	4	6	4	8	4	51
1865	3	2	6	1	5	5	6	4	6	4	8	4	51
1866	3	2	6	1	5	5	6	4	6	4	8	4	51
1867	3	2	6	1	5	5	6	4	6	4	8	4	51
1868	3	2	6	1	5	5	6	4	6	4	8	4	51
1869	3	2	6	1	5	5	6	4	6	4	8	4	51
1870	3	2	6	1	5	5	6	4	6	4	8	4	51
1871	3	2	6	1	5	5	6	4	6	4	8	4	51
1872	3	2	6	1	5	5	6	4	6	4	8	4	51
1873	3	2	6	1	5	5	6	4	6	4	8	4	51
1874	3	2	6	1	5	5	6	4	6	4	8	4	51
1875	3	2	6	1	5	5	6	4	6	4	8	4	51
1876	3	2	6	1	5	5	6	4	6	4	8	4	51
1877	3	2	6	1	5	5	6	4	6	4	8	4	51
1878	3	2	6	1	5	5	6	4	6	4	8	4	51
1879	3	2	6	1	5	5	6	4	6	4	8	4	51
1880	3	2	6	1	5	5	6	4	6	4	8	4	51
1881	3	2	6	1	5	5	6	4	6	4	8	4	51
1882	3	2	6	1	5	5	6	4	6	4	8	4	51
1883	3	2	6	1	5	5	6	4	6	4	8	4	51
1884	3	2	6	1	5	5	6	4	6	4	8	4	51
1885	3	2	6	1	5	5	6	4	6	4	8	4	51
1886	3	2	6	1	5	5	6	4	6	4	8	4	51
1887	3	2	6	1	5	5	6	4	6	4	8	4	51
1888	3	2	6	1	5	5	6	4	6	4	8	4	51
1889	3	2	6	1	5	5	6	4	6	4	8	4	51
1890	3	2	6	1	5	5	6	4	6	4	8	4	51
1891	3	2	6	1	5	5	6	4	6	4	8	4	51
1892	3	2	6	1	5	5	6	4	6	4	8	4	51
1893	3	2	6	1	5	5	6	4	6	4	8	4	51
1894	3	2	6	1	5	5	6	4	6	4	8	4	51
1895	3	2	6	1	5	5	6	4	6	4	8	4	51
1896	3	2	6	1	5	5	6	4	6	4	8	4	51
1897	3	2	6	1	5	5	6	4	6	4	8	4	51
1898	3	2	6	1	5	5	6	4	6	4	8	4	51
1899	3	2	6	1	5	5	6	4	6	4	8	4	51
1900	3	2	6	1	5	5	6	4	6	4	8	4	51
1901	3	2	6	1	5	5	6	4	6	4	8	4	51
1902	3	2	6	1	5	5	6	4	6	4	8	4	51
1903	3	2	6	1	5	5	6	4	6	4	8	4	51
1904	3	2	6	1	5	5	6	4	6	4	8	4	51
1905	3	2	6	1	5	5	6	4	6	4	8	4	51
1906	3	2	6	1	5	5	6	4	6	4	8	4	51
1907	3	2	6	1	5	5	6	4	6	4	8	4	51
1908	3	2	6	1	5	5	6	4	6	4	8	4	51
1909	3	2	6	1	5	5	6	4	6	4	8	4	51
1910	3	2	6	1	5	5	6	4	6	4	8	4	51
1911	3	2	6	1	5	5	6	4	6	4	8	4	51
1912	3	2	6	1	5	5	6	4	6	4	8	4	51
1913	3	2	6	1	5	5	6	4	6	4	8	4	51
1914	3	2	6	1	5	5	6	4	6	4	8	4	51
1915	3	2	6	1	5	5	6	4	6	4	8	4	51
1916	3	2	6	1	5	5	6	4	6	4	8	4	51
1917	3	2	6	1	5	5	6	4	6	4	8	4	51
1918	3	2	6	1	5	5	6	4	6	4	8	4	51
1919	3	2	6	1	5	5	6	4	6	4	8	4	51
1920	3	2	6	1	5	5	6	4	6	4	8	4	51
1921	3	2	6	1	5	5	6	4	6	4	8	4	51
1922	3	2	6	1	5	5	6	4	6	4	8	4	51
1923	3	2	6	1	5	5	6	4	6	4	8	4	51
1924	3	2	6	1	5	5	6	4	6	4	8	4	51
1925	3	2	6	1	5	5	6	4	6	4	8	4	51
1926	3	2	6	1	5	5	6	4	6	4	8	4	51
1927	3	2	6	1	5	5	6	4	6	4	8	4	51
1928	3	2	6	1	5	5	6	4	6	4	8	4	51
1929	3	2	6	1	5	5	6	4	6	4	8	4	51
1930	3	2	6	1	5	5	6	4	6	4	8	4	51
1931	3	2	6	1	5	5	6	4	6	4	8	4	51
1932	3	2	6	1	5	5	6	4	6	4	8	4	51
1933	3	2	6	1	5	5	6	4	6	4	8	4	51
1934	3	2	6	1	5	5	6	4	6	4	8	4	51
1935	3	2	6	1	5	5	6	4	6	4	8	4	51
1936	3	2	6	1	5	5	6	4	6	4	8	4	51
1937	3	2	6	1	5	5	6	4	6	4	8	4	51
1938	3	2	6	1	5	5	6	4	6	4	8	4	51
1939	3	2	6	1	5	5	6	4	6	4	8	4	51
1940	3	2	6	1	5	5	6	4	6	4	8	4	51
1941	3	2	6	1	5	5	6	4	6	4	8	4	51
1942	3	2	6	1	5	5	6	4	6	4	8	4	51
1943	3	2	6	1	5	5	6	4	6	4	8	4	51
1944	3	2	6	1	5	5	6	4	6	4	8	4	51
1945	3	2	6	1	5	5	6	4	6	4	8	4	51
1946	3	2	6	1	5	5	6	4	6	4	8	4	51
1947	3	2	6	1	5	5	6	4	6	4	8	4	51
1948	3	2	6	1	5	5	6	4	6	4	8	4	51
1949	3	2	6	1	5	5	6	4	6	4	8	4	51
1950	3	2	6	1	5	5	6	4	6	4	8	4	51
1951	3	2	6	1	5	5	6	4	6	4	8	4	51
1952	3	2	6	1	5	5	6	4	6	4	8	4	51
1953	3	2	6	1	5	5	6	4	6	4	8	4	51
1954	3	2	6	1	5	5	6	4	6	4	8	4	51
1955	3	2	6	1	5	5	6	4	6	4	8	4	51
1956	3	2	6	1	5	5	6	4	6	4	8	4	51
1957	3	2	6	1									

LOUISVILLE SAVINGS INSTITUTION,
January 6th, 1836. }

THE SPEAKER OF THE SENATE,

Sir:—I have the honor to present to the Senate and House of Representatives through you, a statement of the condition of the Louisville Savings Institution, which is herewith enclosed, made up for the 30th December last.

With much respect, I have the

honor to be, your humble servant,

GEO. W. MERIWETHER, *President.*

State of the Louisville Savings Institution, December 30th 1835.

INVESTMENTS.

Banking House,		\$ 10,000 00
Bills Discounted on personal security,		168,607 51
“ “ on Institution Stock,		3,755 00
“ “ in suit,		93 75
Bills of Exchange,		60,156 79
Interest paid on special Deposites,		583 12
Due from Banks,		23,655 75
Expense Account,		1,058 08
Specie on Hand,	59,672 59	
Notes of Bank U. S. and Branches,	66,325 00	
Other Bank Notes,	37,735 00	
		<hr/> 163,732 59
		<hr/> \$431,642 59

EFFECTS.

Deposites transferred to Stock,		\$ 68,172 00
“ at 3 per cent Interest,		320 00
“ at 4 per cent Interest,		76,209 02
Weekly Deposites,		5,078 00
Profit and loss account,	\$ 1,184 20	
Exchange and Interest,	2,393 21	
Discounts,	5,602 68	
		<hr/> 9,180 09
Dividends uncalled for,		451 38
Treasurer of the United States,		129,826 61
Post Office Department,		6,183 75
Public Officers,		21,017 94

Due to Banks,	34,586 46
Incorporated Companies,	28,783 61
Individual Depositors,	51,833 73
	<hr/>
	\$431,642 59

J. M. CAMPBELL, *Treasurer.*

The Speaker laid before the Senate, the proceedings of the citizens of Charleston, embracing the report of the committee, and the address and resolutions adopted at a general meeting, in reference to the proposed Rail Road from Cincinnati to Charleston,

Which were received and referred to the committee of Internal Improvements.

Mr. McHenry presented the remonstrance of sundry citizens of Wayne county, against the formation of a new county out of a part of the counties of Cumberland and Wayne,

Which was received and referred to the committee of Propositions and Grievances.

A message in writing was received from the Lieutenant and acting Governor, by Mr. Cox, Assistant Secretary of State.

The rule of the Senate having been dispensed with, the said message was taken up, and read as follows, viz:

Gentlemen of the Senate—

I herewith communicate the reports from the President and Directors of the Bank of Kentucky, and of the Northern Bank of Kentucky.

J. T. MOREHEAD.

January 8, 1836.

The said reports are as follows, viz:

BANK OF KENTUCKY,
Louisville, January 5, 1835.

SIR:—I have the honor to transmit, (to be laid before the legislature,) a statement of the condition of the Bank of Kentucky, and branches, as it existed on the first inst., as required by the 22nd section of the charter.

Most respectfully,

Your obedient serv't,

JNO. I. JACOB, *Pres't*

W. OWSLEY, Esq. *Sec'y of State.*

To the Senate and House of Representatives of the Commonwealth of Kentucky.

In compliance with the requisitions of the act incorporating the Bank

of Kentucky, a statement of the condition of the principal bank and branches, as it existed on the 1st inst., is herewith most respectfully submitted.

In addition to the information given by the tabular reports for the use of the legislature, the undersigned deem it not improper to remark, that as soon as circumstances would permit, after the requisite number of shares had been subscribed, an election of directors on the part of state and stockholders for the principal bank took place, (the sum of \$300,000 having been paid as required by the 40th section of the charter,) the bank went into operation on the 16th April, with the design of making the institution as useful as possible to every part of the State. According to the intention of the legislature in granting its charter, and also, to insure the best profit to the stockholders, the parent bank located the full number of branches authorized, viz: at Frankfort, Maysville, Lexington, Bowlinggreen Greensburg, and Hopkinsville, each of which was put into operation as soon as the funds of the institution was in amount sufficient to authorize it, and the labor of preparing paper sufficient for circulation accomplished. The time when, as well the principal bank as the respective branches, commenced business, will be seen by reference to the tabular reports.

The capital employed at the branches is considerably more than the proportion contemplated for their use by the charter.

As the two branches of the bank of the United States in this state had (towards the close of the last spring,) commenced making arrangements to wind up their business, some apprehensions were entertained as to the effect that the withdrawal from the state of the large amount of capital invested by that institution, would have on the prosperity of the country, which apprehension was strengthened by the fact that the heavy withdrawal of capital alluded to, was about to take place at a time when the bank of Kentucky had not attained its destined strength, and would, therefore, be unable to supply the capital as fast as withdrawn by the bank of the United States. To prevent any derangement of the monied affairs of the country, in consequence of the withdrawal of this capital, and with a view to the immediate active employment of the capital of the Bank of Kentucky, an arrangement was made with the Bank of the United States, by which the bank of Kentucky became the collector of so much of the debt due the branch in this city as the debtors would voluntarily pay; from the time of making the arrangement to the 4th of March next, the bank of Kentucky agreeing to pay on the amount so collected, (with interest of five per cent per annum,) in one, two, three and four years from the said 4th March. By this ar-

rangement the bank of Kentucky will have the use, for the time stipulated, of one million of dollars, thereby enabling it to extend relief to the debtors to the bank of the United States, and to give additional aid to those branches requiring it.

By reference to the state of the principal bank, No. 1, it will be seen that the amount of capital paid in is less than the amount called, by \$4,295. This delinquency, it is hoped, will be settled in the 6th call, amounting to \$300,000, due this day.

Immediately after the Board of directors of the principal bank was organized, a house was rented and fitted up accordingly for its use. In the meantime a purchase was made of an improved piece of ground in a convenient part of the city with a view to a permanent location of the bank; subsequently, however, an offer was made of the banking house belonging to the United States branch, on terms acceptable to the bank of Kentucky; the purchase was accordingly made at \$35,000, payable at the same periods; and at the same rate of interest, as that portion of the debt due on collection. This house is now and has been since the 1st of October occupied by the bank of Kentucky.

The first piece of property purchased for the use of the bank, not having as yet been sold, will account for the seemingly large amount to the account of real estate for banking house, reported in the statement of the principal bank. Statement, No. 1, exhibits the state of the principal bank at Louisville, distinct from the branches. No. 2, 3, 4, 5, 6, and 7, represent the state of each branch respectively, on the 31st December, and No. 8, shows the state of the whole institution; exhibiting the total amount of the liabilities of the bank, with its means to meet them.

In concluding our remarks, we say with much pleasure, that while we are fully apprized of the very great services rendered by the bank of Kentucky and branches (for the time they have been in operation, to every interest in society, whether commercial, agricultural, manufacturing or mechanical, we are unapprized that there is a single debt due to the bank, or either branch, that would be considered even doubtful—and we say with additional pleasure, that every engagement with the institution up to this day, has been met with remarkable punctuality.

Most respectfully,

Your obedient ser't,

JNO. I. JACOB, *Prest.*

BANK OF KENTUCKY. }
Louisville, Jan'y 4, 1836. }

[For the papers referred to in the foregoing letter, see folding sheet hereto annexed.]

Bank of Ky. and branches, 59,735 00
Bank of Louisville, 41,205 00

SENATE JOURNAL.

[To face page 88.]

Statement No. 1.

Shewing the condition of the Bank of Kentucky at Louisville, on the 31st day of Dec. 1835.

To capital stock paid by the State,	1,000,000 00		By notes discounted,	1,583,155 16
Individuals and Companies,	1,495,705 00		" Bills of Exchange unpaid,	858,831 63
		2,495,705 00	" Bonds of the State bearing interest at the rate of 5 per cent.,	1,000,000 00
Bank Notes issued by Principal Bank,	743,000 00		" Real Estate for Banking Houses,	60,033 08
Notes on hand,	39,295 00		" Temporary Banking House,	2,271 48
				63,304 48
In circulation by Principal Bank,	703,705 00		" Branch Bank at Frankfort, for stock,	326,000 00
Bank notes for use of Branches payable at Principal Bank,	747,000 00		Maysville, do.	271,000 00
Amount due Bank of United States for notes collected, including interest to 31st Dec. on \$947,288 59	956,216 46		Lexington, do.	381,000 00
including Banking House, payable in four equal annual instalments from 4th March next,	500,066 02		Hopkinsville, do.	90,000 00
Amount due other Banks on account current,	36,523 74		Greensburg, do.	100,000 00
Amount due the Treasurer of the State,	244,148 76		Bowlinggreen, do.	100,000 00
Amount due individual depositors,				1,267,000 00
Profit and loss for amount of discounts received,	49,331 61		" Branch Bank at Frankfort in account current,	68,869 75
Premiums on exchange,	38,853 21		Maysville, do.	33,377 69
Interest on State bonds,	33,063 33		Lexington, do.	87,683 10
Received for rents,	726 41		Hopkinsville, do.	62,182 65
			Bowlinggreen, do.	21,359 12
			Greensburg, do.	32,555 70
				385,928 01
Deduct—			" Amount due by other Banks in account current,	62,451 44
Interest on debt to Bank of United States to 31st December,	\$ 8,937 87		" Cash on hand as follows:—	
Interest on Treasurer's Deposit,	1,076 52		In Gold,	89,454 89
Expenses of Bank, including cost of Bank note plates, printing,	18,593 43		Silver,	148,876 16
Salaries, &c.,		28,597 82	Notes of Bank of United States,	185,000 00
			of Principal Bank at Louisville,	16,905 00
			of Branches of Bank of Kentucky,	12,925 40
			of other Banks,	13,995 00
Leaving nett profits,		93,376 79		104,167 88
		\$5,776,741 77		\$5,776,741 77

Statement No. 2.

Shewing the condition of the Branch Bank at Frankfort, on the 31st Dec. 1835.—Commenced business May 18, 1835.

To Principal Bank for Stock,	326,000 00		By bills discounted,	308,016 26
" ditto on account current,	38,840 85		" Bills of Exchange,	118,756 16
" Amount due the Treasurer of the State,	70,927 32		" Amount due by other Banks,	24,631 81
" Amount due other Banks,	35,185 75		" Cash on hand, viz:—	
" Amount due Individual Depositors,	69,711 13		In Gold,	8,541 65
" Balance of Profit and Loss on 31st December,	14,907 06		Silver,	17,151 23
			Notes of Bank of United States,	33,655 00
			of Principal Bank at Louisville,	16,905 00
			of Branches of Bank of Kentucky,	12,925 40
			of other Banks,	13,995 00
				104,167 88
		\$555,572 11		\$555,572 11

Statement No. 3.

Shewing the condition of the Branch Bank at Lexington, on the 31st Dec. 1835.—Commenced business June 28th, 1835.

To Principal Bank for Stock,	380,000 00		By bills discounted,	473,279 93
" ditto on account current,	85,284 22		" Bills of Exchange,	214,947 03
" Bank notes issued payable at Lexington,	302,000 00		" Real Estate for Banking House,	14,500 00
On hand,	11,335 00		" Amount due by other Banks,	22,316 27
			" Cash on hand, viz:—	
In circulation,	290,665 00		Gold,	23,145 00
" Amount due to other Banks,	50,869 60		Silver,	52,516 70
" Amount due to Individual Depositors,	105,856 25		Notes of Bank of United States,	52,505 00
" Balance of Profit and Loss to 31st Dec.	16,314 86		of Principal Bank,	72,105 00
			of Branches,	190 00
			of other Banks,	4,485 00
				204,946 70
		\$928,989 93		\$928,989 93

Statement No. 4.

Shewing the condition of the Branch Bank at Hopkinsville, on the 31st Dec. 1835.—Commenced business July 29th, 1835.

To Principal Bank for Stock,	100,000 00		By bills discounted,	109,537 40
" ditto on account current,	63,456 21		" Bills of Exchange,	47,670 87
" Bank notes issued payable at Hopkinsville,	60,000 00		" Cash on hand, viz:—	
On hand,	18,230 00		Gold,	14,585 66
			Silver,	10,865 00
In circulation,	41,770 00		Notes of Bank of United States,	47,600 00
" Amount due to other Banks,	1,000 00		Principal Bank,	5,035 00
" Amount due to Individual Depositors,	31,416 25		Other Banks,	5,516 00
" Balance of Profit and Loss to 31st Dec.	3,167 47			83,601 66
		\$240,809 93		\$240,809 93

Statement No. 5.

Shewing the condition of the Branch Bank at Bowlinggreen, on the 31st Dec. 1835.—Commenced business 3d August, 1835.

To Principal Bank for Stock,	90,000 00		By bills discounted,	58,568 03
" ditto on account current,	13,339 44		" Bills of Exchange,	1,700 00
" Bank notes issued payable at Bowlinggreen,	30,000 00		" Amount due by other Banks,	13 22
On hand,	26,170 00		" Cash on hand, viz:—	
In circulation,	3,830 00		In Gold,	4,586 23
" Amount due to other Banks,	535 62		Silver,	10,335 49
" Amount due to Individual Depositors,	12,767 44		Notes of Bank of United States,	26,775 00
" Balance of Profit and Loss to 31st December,	175 47		Principal Bank,	15,120 00
			Branches,	1,485 00
			Other Banks,	1,465 00
		\$120,647 97		60,366 72
				\$120,647 97

Statement No. 6.

Shewing the condition of the Branch Bank at Greensburg, on the 31st Dec. 1835.—Commenced business July 28, 1835.

To Principal Bank for Stock,	100,000 00		By bills discounted,	113,605 00
" ditto on account current,	25,605 70		" Bills of Exchange, unpaid,	13,594 25
" Bank notes issued payable at Greensburg,	50,000 00		" Amount due by other Banks,	4,030 78
On hand,	30,000 00		" Cash on hand, viz:—	
In circulation,	20,000 00		Gold,	4,018 00
" Amount due to other Banks,	100 00		Silver,	11,845 96
" Amount due to Individual Depositors,	15,114 88		Notes of Bank of United States and checks,	13,564 61
" Balance of Profit and Loss to 31st December,	1,136 02		of Bank of Kentucky,	1,015 00
			of other Banks,	283 00
		\$161,956 60		30,726 57
				\$161,956 60

Statement No. 7.

Shewing the condition of the Branch Bank at Maysville, on the 31st Dec. 1835.—Commenced business July 1st, 1835.

To Principal Bank for Stock,	271,000 00		By bills discounted,	290,495 84
" Bank notes issued payable at Maysville,	192,000 00		" Bills of Exchange,	144,779 86
On hand,	1,900 00		" Amount due by other Banks,	8,418 98
			" Cash on hand, viz:—	
In circulation,	190,100 00		Gold,	34,040 00
" Amount due to other Banks,	16,856 60		Silver,	13,912 70
" Amount due to Individual Depositors,	89,965 56		Notes of Bank of United States,	38,945 00
" Balance of Profit and Loss on 31st December,	10,190 22		of other Banks,	47,520 00
		\$578,112 38		134,417 70
				\$578,112 38

Statement No. 8.

Shewing the condition of the Bank of Kentucky and its Branches, on the 31st Dec. 1835.

To Capital Stock at Principal Bank,	1,228,705 00		By bills discounted at Principal Bank and Branches,	2,935,657 62
Branches,	1,267,000 00		" Bills of Exchange at do.	1,400,279 80
		2,495,705 00	" Bonds of the State bearing interest at 5 per cent. per annum,	1,000,000 00
" Bank notes in circulation,	1,997,070 00		" Real Estate for Banking Houses,	74,533 08
" Amount due to other Banks,	604,613 59		" Temporary Banking House at Louisville,	2,271 40
" Amount due Treasurer of the State,	107,451 06		" Amount due by other Banks,	121,862 50
" Amount due Bank of United States, payable in four equal annual instalments, from 4th March,	956,216 40		" Balances due by Branches to Principal Bank,	79,401 63
" Amount due Individual Depositors,	568,980 37		" Cash on hand—	
" Balance of Profit and Loss,	139,267 89		In Gold and Silver,	\$444,474 67
			In notes of Bank of United States,	398,044 61
			In notes of other Banks,	412,779 00
		\$6,869,304 31		1,255,298 28
				\$6,869,304 31

Note 1.—The above statement shews the whole amount of notes in circulation of Principal Bank and Branches, 1,997,070 00
From this amount deduct notes on hand, \$108 870 00
Notes in transitu, 61,980 00
Leaving in actual circulation, \$1,826,220 00

Note 2.—The nett profits of the Bank to the 31st December, is, \$139,267 89
Amount of dividend declared, \$87,500 00
Contingent fund required by the Charter, 50,000 00—137,500 00
Leaving a surplus to credit of Profit and Loss, 1,767 89
The dividend on the State stock amounts to 35,000 00
On the stock of individuals 52,500 00
\$137,500 00

January 4, 1836.—At a meeting of the President and Directors of the Bank of Kentucky, it was Resolved, That a dividend of three and one half per cent. on two millions five hundred thousand dollars of the capital stock paid in, be declared payable on or after the 15th instant.

The notes of circulation consist of the following denominations:—
Payable at Principal Bank, of \$5 191,045 00
10 248,590 00
20 476,520 00
50 259,350 00
100 275,200 00
\$1,450,705 00
Payable at the Branches of \$5 54,955 00
10 128,880 00
20 62,380 00
50 95,750 00
100 204,400 00—\$546,365 00
\$1,997,070 00

GEO. C. GWATHMEY, Cash'r.

BANK OF KENTUCKY, Louisville, Jan. 5th, 1836.

NORTHERN BANK KENTUCKY, }
 Lexington, Dec. 17, 1835. }

W. OWSLEY, Esq.

SIR:—I have the honor of transmitting to you a statement of the situation of this bank on the 1st instant, made in conformity to the 21st section of the act, "To establish the Northern Bank of Kentucky."

I am Sir, with great regard,

Your obedient,

JNO. TILFORD, *Pres.*

State of the Northern Bank of Kentucky.

		Dr.
Bills discounted,	972,362 43	
Bills of exchange,	420,214 01	
	<hr/>	1,392,576 44
Due from,		
Girard bank,	93,220 32	
Bank of America,	25,752 11	
Bank of Louisville,	13,017 20	
Louisville Savings institution,	15,471 79	
Bank United States, New Orleans,	668 00	
do. Washington,	2 00	
Bank of Kentucky and branches,	52,779 17	
	<hr/>	200,910 59
Real estate, banking house, (cost and present value,)		20,000 00
<i>Contingent expenses, viz:</i>		
Incurrd by com'rs receiving subscriptions		
at different places,	2,540 71	
Bank note paper, engraving, press, seal,		
&c. &c. &c.,	8,510 95	
Current expenses, officers' salaries, &c. &c.	3,113 47	
	<hr/>	14,165 13
State bonds,		500,000 00
Premium on state bonds, payable on 1st January, 1836,		10,000 00
Cash, viz: Notes,	734,000 00	
" in circulation,	532,660 00	
	<hr/>	
On hand,	201,340 00	
Notes, Bank U. S. and branches,	219,375 00	
" Bank of Ky. and branches,	59,735 00	
" Bank of Louisville,	41,205 00	

Gold and silver,	363,129 92	884,784 92
		<u>\$3,022,437 08</u>
		Cr.

Capital Stock, viz:

State subscriptions of 5,000 shares paid in full,	500,000 00	
Paid in by individual subscribers,	565,755 00	1,065,755 00

Due from individual stockholders, on 2 and 3 instalm'ts, \$25,975 00

Notes viz:

In circulation,	100's	\$48,600 00	
	50's	91,050 00	
	20's	135,120 00	
	10's	204,990 00	
	5's	52,900 00	
On hand,	100's	111,400 00	
	50's	28,950 00	
	20's	16,880 00	
	10's	23,010 00	
	5's	21,000 00	
			734,000 00
			295,665 18

Individual depositors,

Bills payable, notes payable in 1, 2, 3 and 4 years from 6th December, 1835,

Bank of the United States,

State of Kentucky, for premium on state bond,

Due to

Commercial bank of Cincinnati,	1,802 69
LaFayette bank, Cincinnati,	2,380 70
Merchants and Man. bank of Pittsburg,	4,894 44
Bank of Pittsburg,	1,304 64
Merchants and Mech's' bank of Wheeling,	2,204 46
H. Blanton, Cash'r bank Ky. Frankfort,	2,774 07
Bank of Chillicothe,	61 25
Bank United States, Natchez,	3 50
Do. Subject to order, federal court,	1,435 49

16,861 24

Post office department,

1,765 57

Pension fund,	27,075 48	
		28,841 05
Discounts received,	12,580 18	
Exchange account,	12,470 81	
Interest account,	41 12	
		25,092 11
		<u>\$3,022,437 08</u>

RECAPITULATION.

	Dr.
Notes discounted and bills of exchange purchased,	\$1,392,576 44
State bonds,	500,000 00
Due from state banks,	200,910 59
Real estate,	20,000 00
Expense accounts,	14,165 13
Premium on state bonds,	10,000 00
Cash,	683,444 92
	<u>\$2,821,097 08</u>
	Cr.
Capital stock,	1,065,755 00
Notes of this bank in circulation,	532,660 00
Due to individual depositors,	295,665 18
Bills payable at 1, 2, 3, and 4 years, at 5 per cent,	737,523 58
Due to state of Kentucky,	10,000 00
“ “ Bank United States, and state banks,	125,560 16
“ “ Public officers,	28,841 05
Discounts, exchange and interest,	25,092 11
	<u>\$2,821,097 08</u>

M. T. SCOTT, Cash'r.

Lexington, Dec. 1, 1835.

Ordered, That the said reports be referred to the committee of Finance, and that the public printer print one hundred and fifty copies thereof, for the use of the General Assembly.

The following bills were reported by the committees appointed to prepare and bring in the same, viz:

By Mr. Guthrie, from the committee of Courts of Justice—1.
A bill for the benefit of Judith P. Thornton, and her children.

And by Mr. Carter—2. A bill to amend an act entitled, an act to incorporate the Carlisle, Flemingsburg and Greenupsburg turnpike road company.

Which bills were each read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

On the motion of Mr. Guthrie, the committee of Courts of Justice was discharged from the duty of preparing and bringing in a bill to repeal the act entitled, an act to amend the law prohibiting the importation of slaves into this State, approved 2d February, 1833; and Messrs. Jessup, Smith and McHenry, were appointed a committee to prepare and bring in the said bill.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill to incorporate a company to construct a turnpike road from Taylorsville in Spencer county, to intersect the turnpike road from Bardstown to Louisville, reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Wingate, from the committee appointed for that purpose, reported a bill to fix the ratio and apportion the representation for the ensuing four years, which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with,

Mr. Willis moved an amendment to the said bill as a substitute therefor.

The said bill and amendment were referred to the committee of the whole house on the State of the Commonwealth, for Wednesday next.

Ordered, that the public printer print one hundred and fifty copies of the said bill and amendment for the use of the General Assembly.

Mr. Guthrie, from the committee appointed for that purpose, reported a bill to amend the charter of the Bardstown and Louisville turnpike company,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Internal Improvements.

Mr. Daviess having obtained leave, reported a bill to repeal the first section of an act, entitled, an act to amend an act establishing a Female Academy in the town of Harrodsburg, and reviving the third section of the act thereby repealed,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Bush—1. A bill to regulate the commencement of the Boone and Grant circuit courts.

On the motion of Mr. Lyon—2. A bill to incorporate the Eddyville Hotel Company.

And on the motion of Mr. Guthrie—3. A bill to provide for a secretary of public instruction, and for carrying into operation an act, entitled, an act to encourage a general diffusion of education in this Commonwealth, by the establishment of a uniform system of public schools.

Messrs. Bush, Southgate and Thornton, were appointed a committee to prepare and bring in the first; Messrs. Lyon, James and Sisk, the second, and Messrs. Guthrie, Willis and Metcalfe, the third.

And then the Senate adjourned.

SATURDAY, JANUARY 9, 1836.

The Speaker laid before the Senate, a letter from the Auditor of Public Accounts, enclosing the annual report of the condition of the Bank of Louisville, which letter and report are as follows, viz:

STATE OF KENTUCKY, }
Frankfort, Auditor's Office, Jan. 9, 1836. }

HON. WILLIAM B. BLACKBURN, *Speaker of the Senate:*

SIR:—Please lay before the Senate, over which you have the honor

to preside, the enclosed copy of the annual report made by the bank of Louisville to this office, for the year 1835.

Respectfully,

Yours,

BEN. SELBY, Aud.

Statement of the condition of the Bank of Louisville, as it existed January 4, 1836.

LIABILITIES OF THE BANK.

To capital stock subscribed and paid in,			1,150,000 00
" Amount due to banks,		246,663 63	
do. " " Public agents,		104 55	
		<hr/>	246,768 18
" Dividend No. 3, unclaimed,		748 00	
do. No. 4, declared this day, being 4 per cent capital stock for the last six months,		46,000 00	
		<hr/>	46,748 00
" Bank notes in circulation, in	5's	114,145 00	
"	10's	110,790 00	
"	20's	180,920 00	
"	50's	95,000 00	
"	100's	190,600 00	
		<hr/>	691,455 00
" Post notes in circulation, in	5's	7,150 00	
do " "	10's	15,560 00	
		<hr/>	22,710 00
" Amount due to individual depositors,			209,911 18
" 2 per cent fund laid by as required by charter,		23,000 00	
" Profit and loss, balance at the credit of that account,		37,151 94	
		<hr/>	60,151 94
		<hr/>	\$2,427,744 28

MEANS OF THE BANK.

By notes discounted on hand,	966,086 49	
City loan,	80,000 00	
	<hr/>	1,046,086 49

" Bills of exchange payable out of the state,	866,780 91
" Amount due from banks,	122,659 77
" Real estate, original cost,	13,000 00
" Building expenses, &c.	8,752 52
	<hr/>
	21,752 52

CASH IN HAND.

Notes of the bank of the United States and branches,	86,515 00
do of the bank of Kentucky and Northern bank of Kentucky,	47,780 00
do of other banks,	65,465 00
	<hr/>
	199,760 00
Gold,	5,683 95
Silver,	165,020 64
	<hr/>
	170,704 59
	<hr/>
	\$2,427,744 28

BANK OF LOUISVILLE, *January 6, 1836.*

Rate of dividend declared.

- No. 1, July, 1834, 5 per cent in capital stock,
- " 2, January, 1835, 5 per cent do.
- " 4, July, 1835, 4 per cent do.
- " 4, January, 1836, 4 per cent do.

A. THRUSTON, *Cash.*

Ordered, That the said report be laid on the table, and that the public printer print one hundred and fifty copies thereof for the use of the General Assembly.

Mr. Smith presented the petition of the county court of Rockcastle, praying for the passage of a law authorizing the sale of a part of the public ground in the town of Mt. Vernon,

Which was received and referred to the committee of Propositions and Grievances.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of the holders of the Headright Certificates.

And an act to dispose of certain lands of John Lea, deceased, reported the same, with the opinion of the committee, that they ought not to pass.

The former bill was laid on the table, and the question being taken on reading the latter bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. Guthrie, from the same committee to whom was referred a bill to amend an act, entitled, an act to incorporate the Newport manufacturing company, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Guthrie, from the same committee to whom was referred a bill from the House of Representatives, entitled, an act for the relief of the infant devisees of Thomas Berryman, deceased, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Daviess, the committee of Propositions and Grievances was discharged from the further consideration of a bill from the House of Representatives, entitled, an act to confirm the residence of Josiah Hunter.

The question being taken on reading the said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. Wingate, from the committee of Religion, to whom was referred bills from the House of Representatives of the following titles, viz:

An act for the benefit of James Smith Noe.

And an act to divorce Fountain Weatherford, from his wife, Sally Weatherford, reported the same, with the opinion of the committee, that they ought not to pass.

The question being taken on reading the said bills a third time, it was decided in the negative, and so the said bills were disagreed to.

Mr. Wingate, from the same committee to whom was referred the petition of Lewis Ragsdale, praying for a divorce from his wife, Nancy Ragsdale, reported the following resolution thereon, viz:

Resolved, That the said petition be rejected.

Mr. Wingate, from the same committee to whom was referred bills from the House of Representatives, of the following titles, viz:

1. An act for benefit of Elizabeth Maxey.
2. An act for the benefit of Sophia Warrenner.
3. And an act for the benefit of Thomas F. Hackley,

Reported the same without amendment, with their opinion that the first bill ought not to pass, and that the second and third ought to pass.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

On the motion of Mr. Wingate, the committee of Religion was discharged from the further consideration of a bill from the House of Representatives, entitled, an act for the benefit of Leander P. Hammer and Rebecca Hammer.

Ordered, That the said bill be read a third time.

A message was received from the House of Representatives, announcing the passage of a bill entitled, an act to protect the *bona fide* claimants of lands in this Commonwealth, and the adoption of a resolution to examine the Lunatic Asylum and Transylvania University.

The said bill was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the bill having been dispensed with, it was amended, and ordered to be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill, having been dispensed with,

The question being taken on the passage thereof, as amended, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. James and Morehead, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bramlette, Bush, Daviess, Grider, Guthrie, Harreld, Jessup, Lusk, Lyon, McDonald, McHenry, Metcalfe, Miller, Morehead, Murrell, Parker, Patterson, Sisk, Smith, Southgate, Thornton, Watkins, Willis, Wingate, A. Young and S. Young—28.

NAYS—Messrs. Carter, James, May and Morgan—4.

Resolved, That the title of the said bill be as aforesaid.

The said resolution was twice read and concurred in.

Whereupon, Messrs. Willis, Southgate and Jessup, were appointed the said committee on the part of the Senate.

Ordered, That Mr. Willis inform the House of Representatives thereof.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill to establish a State road from Landing, Boone county, to intersect the Covington and Lexington turnpike road, reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Metcalfe, from the same committee to whom was referred a bill to authorize the Nicholasville, Harrodsburg and Perryville turnpike road company to build a bridge across the Kentucky river, reported the same with amendments, which were twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

The question was taken on the passage thereof, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Daviess and Willis, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bush, Carter, Daviess, Guthrie, Harreld, James, Jessup, Lyon, McDonald, McHenry, May, Metcalfe, Morehead, Morgan, Murrell, Parker, Patterson, Smith, Southgate, Thornton, Watkins, Willis, A. Young and S. Young—26.

NAYS—Messrs. Bramlette, Lusk and Miller—3.

Resolved, That the title of the said bill be amended to read an act to amend an act, entitled, an act to incorporate a company to turnpike the road from Nicholasville to Perryville, by way of Shakerstown and Harrodsburg.

Mr. Boyd presented the annual report of the Board of Internal Improvement for Shelby county, which is as follows, viz:

To the Legislature of Kentucky:

The Board of Internal Improvement for Shelby county, are required by the 14th section of an act approved the 8th February, 1834, (see Session Acts, page 447) to keep a full and fair account of the receipts and expenditures, and semi-annually to make out a complete and perfect account thereof, exhibiting the net profits &c.; and they are further required to report the same to the Legislature at each regular session thereof.

The receipts resulting from tolls upon the turnpike road under the control of this Board, from the 20th day of Nov. 1834, to the 20th Nov. 1835, was \$11,862 34

The expenditures during the same period for repairs, &c. amounted to, 6,311 37

Excess of receipts over expenditures, \$ 5,550 97

And there was appropriated out of the above sum, to pay dividends declared the 20th Nov. 1834, and in fulfilment of contracts previously made, the sum of 1,864 00

Thus leaving in the Treasury of the Board on the the 20th day of November, 1835, the sum of \$ 3,686 97

The whole amount of cash paid out of the State Treasury, and appropriated by this Board, was \$45,000 00

The State's portion of former dividends, resulting from tolls collected, was applied by the Board to the construction of the road, and amounted to 2,759 54

Thus making the total amount of stock owned by the State of Kentucky, in the road under the control of this Board on the 20th day of November 1834

	477 59-100 shares and 54 cents	or	\$47,759 54
Individuals own,	432 66-100 shares and 29 cents	or	43,266 29
Shelby county owns,	77 69-100 shares and 65 cents	or	7,769 65

The whole amount of capital vested, is \$98,795 48

At the expiration of the first six months of the current year, viz: on the 20th day of May last, so small a sum of money remained in the Treasury of the Board, after discharging all debts due, it was thought most advisable to defer making a dividend until the termination of the year.

This Board, therefore, on the 20th November, 1835, declared a dividend of four per centum for the whole year preceding that time.

The dividend due the Commonwealth, upon its stock under the order before referred to, is \$1,910 38

Which Thomas W. Newton, the Treasurer of this Board, is ready to pay, upon the presentation of an order therefor by the Treasurer of this State.

All of which, is respectfully reported.

By order of the Board,

SAM'L. TEVIS, *Chairman.*

The said report was referred to the committee of Internal Improvements.

Mr. Murrell, from the joint committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act to revive and amend an act, entitled, an act regulating the public roads and highways in Bracken county.

An act for the benefit of the representatives and heirs of Thomas Shadburn and Peyton L. Parrish.

An act to authorize the county court of Montgomery, to allow Joseph Bondurant, to cut a passage for his stock under the old iron works road.

An act to legalize the proceedings of the trustees of the town of Nicholasville.

An act giving three additional terms to the county court of Nicholas.

An act to amend an act, entitled, an act to incorporate the Georgetown Female Academy.

An act for the benefit of William Dills.

And an act to change the time of holding the circuit and county courts of Monroe county.

And had found the same truly enrolled; and that said bills had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Wingate—1. A bill to amend and reduce into one the several acts constituting a board of Internal Improvement for Anderson county.

On the motion of Mr. Grider—2. A bill to incorporate the Bowlinggreen and Double Spring turnpike road company.

On the motion of Mr. Watkins—3. A bill for the better regulation of the town of Hardinsburg.

On the motion of Mr. Southgate—4. A bill for the benefit of the heirs of Samuel Lovejoy, deceased.

And on the motion of Mr. Miller—5. A bill to charter a company for the construction of a turnpike road from Richmond, Kentucky, to Knox county.

Messrs. Wingate, Metcalfe and Daviess, were appointed a committee to prepare and bring in the first; Messrs. Grider, S. Young and Murrell, the second; Messrs. Watkins, Guthrie and McDonald, the third; Messrs. Southgate, A. Young and Morgan, the fourth, and Messrs. Miller, McHenry and Gilbert, the fifth.

The following bills were reported from the committees appointed to prepare and bring in the same, viz:

By Mr. Bush—1. A bill to regulate the commencement of the Boone and Grant circuit courts.

By Mr. Grider—2. A bill to incorporate the Bowlinggreen and Double Spring turnpike road company.

And, by Mr. Guthrie—3. A bill to provide for a secretary of public instruction, and for carrying into operation an act, entitled, an act to encourage the general diffusion of education in this Commonwealth, by the establishment of a uniform system of public schools.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with; the first was referred to the committee of Courts of Justice; the second to the committee of Internal Improvement, and the third to the committee of the whole house on the State of the Commonwealth, for Thursday next.

Ordered, That the public printer print one hundred and fifty copies of the third bill for the use of the General Assembly.

Mr. Guthrie having obtained leave, reported a bill to provide a sinking fund for the payment of the interest on loans for Internal Improvements, and for the final redemption of the principal of said loans.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Finance.

Ordered, That the public printer print one hundred and fifty copies of the said bill for the use of the General Assembly.

And then the Senate adjourned.

MONDAY, JANUARY 11, 1836.

The Speaker laid before the Senate, the 11th annual report of the President and Directors of the Louisville and Portland Canal Company, which is as follows, viz:

Eleventh Annual Report of the President and Directors of the Louisville and Portland Canal Company.

By the requirements of the charter and by-laws of the Company, the Board submit to the Stockholders the following statement of their proceedings for the year 1835.

The holders of the loans created by the Company in 1830, have availed themselves of the right reserved to them in the contract, and have converted the amount of the same into the capital stock of the Company; and the Board have accordingly authorized the issue of 1560 shares of stock, amounting to \$156,000, in discharge of the same; the interest to January 1st, 1836, with the fraction of \$68.32 having been paid, this stock will not of course be entitled to any part of the dividends of the profits of the year 1835.

To pay the interest on the loans and towards the sums expended in completing the Canal, the Board have directed the sale of 150 shares of stock, which has been done on the same conditions of that issued in liquidation of the loans. By which arrangement it will be seen, that the number of shares entitled to all subsequent dividends after the next, is 9427; and fractions yet convertible into stock of \$650, making the capital of the Company \$947,350. The outstanding unsettled balances due by the Company amounts to about \$1500; and they have claims for stone sold to the amount of about \$3,000.

The General Account of the Company for 1835, is as follows:

DR.

To balance on hand per last Report, including the amount on hand in Philadelphia,	\$ 23,980 88
Received for Canal Tolls in 1835,	80,165 24
" for 150 shares of new stock,	15,000 00
" for stone sold &c.,	848 52
	<hr/>
	\$119,994 64

CR.

By amount paid for final Dividend, No. 3, January, 1835, of 3 per cent. on 7716 shares,	\$ 23,148 00
By partial dividend, No. 4, July, 1835, of 4 per cent. on 7717 shares,	30,868 00
By interest on loans in full and fraction of loans not amounting to a share,	12,981 62
On account of superintendence and labor on locks,	4,931 48
On account of repairs,	3,294 05
On account of completing Canal,	6,618 53
By lighting and watching,	495 70
By incidental expenses of salaries, law and office charges,	1,498 00
By balance in the Treasury,	21,159 26
By balance in the hands of the agent in Philadelphia, to pay dividends,	15,000 00
	<hr/>
	\$119,994 64

By which it will be seen, that the funds of the Company will warrant a final dividend of four per cent. on the 7717 shares of stock entitled to the same, which the board recommend to be made, thus making the dividend for the year eight per cent. This will leave a balance of \$5291 26 in the Treasury, to meet the unsettled accounts, &c.

The state of the river and the weather for a greater part of the year, have been favorable for the success of the business on the Canal, and could it have been possible to have completed all the improvements suggested in former reports, the tolls for the year would not have fallen much short of \$100,000. In comparing the number of flat and keel boats that have passed this year with that of the last, the difference will be seen to be striking; to account for which, it is only necessary to observe that, at the season when most of that description of craft descend, the water was sufficiently high to admit them over the falls. From which circumstances the number of steam boats has been increased in a still greater proportion. The improvements on the Canal have progressed as fast as a constantly occupied use of the Canal would permit, and about two thirds of the wall on one side of the Canal has been completed in a substantial manner. The temporary machine used for keeping down the accumulation of the alluvial deposits has been laid aside, and preparations are in progress for a machine to be ready in the spring, on the most approved modern construction, to be moved by steam power, which it is confidently expected will remove all the mud brought into the Canal, in a short time after the recession of each rise of the river by which it is deposited.

From the experience acquired it is found that one pair of new gates will be required in a year, and it has been found to be the best economy to have a pair at all times on hand to supply such as may fail in the busiest season. This has been done; the gates as well as the other parts of the work are now in good order. The progressive increase of tolls shown in the accounts and in the subjoined list of boats that have passed, must be highly satisfactory to the Stockholders. The receipts of the year having been \$80,165 24, against \$61,848 17 for last year, being an increase of \$18,317 07 or about 30 per cent.

By order of the Board,

JAMES MARSHALL, *President.*

SIMEON S. GOODWIN, *Secretary.*

Office of the Louisville and Portland Canal }
Company, December 31st. }

Abstract of the Boats that have passed, and Tolls received on the Louisville and Portland Canal.

1831,	406 Steam Boats,	421 Flat and Keel Boats,	76,323 tons,	\$12,750 77
1832,	453 Steam Boats,	179 Flat and Keel Boats,	70,109 tons,	25,756 12
1833,	875 Steam Boats,	710 Flat and Keel Boats,	169,885 tons,	60,736 92
1834,	938 Steam Boats,	623 Flat and Keel Boats,	162,000 tons,	61,848 17
1835,	1,256 Steam Boats,	355 Flat and Keel Boats,	200,413 tons,	80,165 24
	3,928	2,288	678,730	\$241,257 22

At a meeting of the Stockholders of the Louisville and Portland Canal Company, at their office in the city of Louisville, January 4, 1836, the Report of the President and Directors was received and ordered to be printed.

The following persons were then duly elected President and Directors for the present year.

JAMES MARSHALL, PRESIDENT.
 SIMEON S. GOODWIN,
 JOHN HULME,
 JAMES RONALDSON, } DIRECTORS.
 PETER HULME,

Resolved, That the Board of President and Directors be directed to make and pay out to the Stockholders a final dividend of four Dollars per share for the last six months, on the whole number of shares standing on the books of the Company, prior to the first instant, being 7717 shares to be paid to the persons in whose names the same stood on that day.

W. G. BAKEWELL, CHAIRMAN.

[Extract from the Minutes.]

S. S. GOODWIN, *Secretary*.

A List of the Steam Boats, and other Craft navigating the Ohio river, showing their respective Tonnage, Canal Toll, and the number of times each Boat has passed through the Locks of the Louisville and Portland Canal in 1835:

Names of Boats.	Measurement.		Canal Tolls. at 40 cents.	No. Trips. thro' locks.
	Tons.	95ths.		
Adriatic,*	381	75	\$152 70	9
Abeona,	151	—	60 40	4
Algonquin,*	221	45	88 68	5
Andrew Jackson,	98	45	39 38	4
Argus,	121	89	48 75	4
Arabian,	97	27	38 90	6
Artist,*	94	—	37 60	2
Alert,*	103	43	41 37	11
Aid,*	83	57	33 43	9
Adventure,	49	05	19 62	12
Argo,	84	89	33 95	2
Arkansaw,	115	—	46 —	2
Alice Maria,*	72	48	28 99	1
American,*	128	40	51 36	1
Anna Calhoun,*	133	57	53 42	1
Alpha,*	51	25	20 50	1
Baltic,	407	83	163 13	4
Belfast,	435	89	174 34	10
Boonslick,	295	51	118 20	1
Bunker-Hill,	301	11	120 44	5
Bonnets O'Blue,	177	78	71 11	2
Boston,	148	14	59 25	19
Black Hawk,	132	27	52 90	10
Banner,	84	20	33 68	1
Bonita,	139	91	55 96	2
Bolivar,	77	55	31 02	2
Ben Franklin,	98	82	39 52	1

<i>Names of Boats.</i>	<i>Measurement.</i> <i>Tons. 95ths.</i>	<i>Canal Tolls.</i> <i>at 40 cents.</i>	<i>No. Trips.</i> <i>thro' locks.</i>
Big Black,*	81 14	32 45	1
Chancellor,	440 —	176 —	6
Constitution,	262 —	104 80	2
Chief Justice Marshall,	296 55	78 62	10
Champion,	195 53	78 23	7
Cincinnati,†	236 03	94 41	2
Caledonia,	122 90	49 16	12
Cavalier,	98 65	39 46	18
Companion,	89 45	35 78	12
Cygnets,	66 90	26 75	11
Calavar,	84 20	33 68	3
Comanche,	169 80	67 92	5
Citizen,	97 25	38 90	17
Chian,*	100 36	40 12	1
Coquette,*	90 36	36 14	9
Chickasaw,	149 05	59 62	2
Ceres,	58 34	23 33	18
Caroline,	187 48	75 —	1
Canton,	103 81	41 12	2
Chesapeake,	154 77	61 90	1
Chatahoochee,*	99 12	39 63	2
Cumberland,*	149 38	59 75	1
Diana,	103 25	41 30	5
Dove,	97 72	39 08	29
Despatch,*	105 15	42 06	12
Detroit,*	136 70	54 68	7
Dover,*	79 85	31 94	13
Dubuque,*	74 63	29 85	1
Denmark,*	54 90	21 96	2
Daniel Webster,† Hull.	75 —	30 —	1
Ellen Douglass,*	270 —	108 —	4
Express,	105 81	42 32	2
Envoy,	91 81	36 72	14
Emigrant,*	88 40	35 36	2
Farmer, No. 1.	277 33	110 93	11
Farmer, No. 2.	232 03	92 81	4
Freedom,	142 82	57 12	5
Flora,*	118 75	47 50	19
Fame,	132 29	52 91	2
Free Trader,	109 85	43 94	23
Fairy Queen,	60 20	24 08	1
Gov. Clark,	148 82	59 50	20
Gazelle,	129 88	51 95	13
Guide,	96 23	38 50	1
Gladiator,	99 45	39 78	18
Galápolis,	74 92	29 96	10
Guyandotte,†	93 19	37 25	1
	14		

<i>Names of Boats.</i>	<i>Measurement.</i> <i>Tons. 95lbs.</i>		<i>Canal Tolls.</i> <i>at 40 cents.</i>	<i>No. Trips.</i> <i>thro' locks.</i>
Gen. Sumpter,*	160	26	64 10	1
Henry Clay,	424	87	169 94	12
Homer,	410	08	164 32	5
Huntsville,	339	83	135 93	3
Hibernia,†	324	03	129 61	1
Heroine, No. 1.	146	—	58 40	15
Heroine, No. 2.	96	73	38 69	2
Hunter,	104	65	41 84	5
Huntress,	97	39	38 95	2
Hero,	89	69	35 87	6
Huntsman,†	136	40	54 56	1
Hawk-Eye,	116	68	46 67	5
Helen Mar,	88	93	35 57	11
Herald,	86	30	34 52	2
Hyperion,*	214	90	49 92	1
Indian,	60	40	24 16	10
Ioway,	143	85	57 50	3
Iberia,	136	58	54 62	13
Illinois,	98	73	39 50	7
John Nelson,	156	03	62 41	1
John Hancock,*	100	—	40 —	2
Junius,	130	—	52 —	7
Juniata,	110	66	44 26	8
Java,	103	32	41 32	1
Kentuckian,	331	37	132 54	10
Louisiana,	306	—	122 40	8
Leonidas,	97	66	39 07	2
Lady Byron,	90	02	36 —	15
Lamp Lighter,*	180	—	72 —	1
Lady Franklin, <i>sunk.</i>	177	05	70 82	11
Lady Marshall,	99	09	39 62	5
Lady Scott,*	58	92	23 56	5
Lady Madison,	113	13	45 25	1
Lancaster,	130	39	52 15	3
Logan,	70	83	28 32	9
La Fourche,	186	49	74 59	2
Laura,*	52	50	21 —	1
Lewis Cass,*	131	72	55 49	3
Le Flore,	106	63	42 65	2
Mogul,	414	46	165 78	1
Michigan,	338	47	135 38	2
Majestic,	323	31	129 32	4
Missousian,	245	40	98 28	8
Mississippi,*	373	58	149 43	1
Madson,*	322	35	128 94	1
Mountaineer,	188	61	75 44	8
Mt. Vernon,	86	—	34 40	4

<i>Names of Boats.</i>	<i>Measurement.</i>		<i>Canal Tolls.</i>	<i>No. Trips.</i>
	<i>Tons.</i>	<i>95ths.</i>	<i>at 40 cents.</i>	<i>thro' locks.</i>
Marion,	139	75	55 90	6
Metamora,	89	04	35 60	16
Minerva,*	87	58	35 —	2
Miner,	57	25	22 90	5
Mazeppa,*	114	40	45 76	1
Mt. Pleasant,*	90	37	36 14	2
Medora,*	210	54	84 21	1
Monroe,*	88	75	35 50	1
North Alabama,	341	24	136 50	2
Nashville,*	128	87	51 55	4
Navarino,	147	75	59 10	18
New York,*	105	35	42 12	11
Neosho,	88	—	35 20	2
Navigator,*	69	45	27 78	2
Nimrod,*	30	—	12 —	1
Native,*	58	56	23 42	1
Orleans,	326	82	130 72	6
Ohio,	273	47	109 38	10
O'Connell,	107	46	42 98	2
Olive Branch,	76	59	30 62	1
Osage,	89	38	35 75	4
Ohioan,	88	56	35 41	3
Orion,	65	69	26 27	5
Ophelia,*	113	40	45 38	1
Oswego,*	117	32	46 93	4
Otsego,*	95	45	38 18	5
Philadelphia, No. 1.†	363	75	145 50	2
Philadelphia, No. 2.*	101	—	40 40	2
Powhattan,†	269	06	107 62	4
Paul Jones,	149	73	59 90	23
Ponchartrain,	132	40	52 96	5
Princeton,	125	05	50 —	13
Potosi,	121	51	48 60	23
Planter,	107	68	43 07	10
Privateer,	146	15	58 46	4
Portsmouth,	97	19	38 87	8
Patrick Henry,*	94	82	37 92	10
Plough Boy,	81	45	32 58	1
Red Rover,	437	50	175 —	2
Rob Roy,	192	—	76 80	13
Robert Morris,*	123	40	49 36	1
Rufus Putnam,*	98	—	39 20	3
Revenue,	122	05	58 88	4
Rapide,	127	09	50 83	9
Raindeer,	104	39	41 75	6
Richmond,	32	88	13 15	2
Robert Fulton,†	128	08	51 23	1

<i>Names of Boats.</i>	<i>Measurement.</i>		<i>Canal Tolls.</i> <i>at 40 cents.</i>	<i>No. Trips.</i> <i>thro' locks.</i>
	<i>Tons.</i>	<i>95ths.</i>		
Splendid,	354	66	141 86	11
Shakespeare,*	240	—	96 —	1
Superior,	201	25	80 50	13
Samson,	198	18	79 27	13
Scotland,	158	22	63 32	8
Signal,	140	87	56 34	7
Science,	50	75	20 30	9
Statesman,	136	76	54 90	8
Shoal Water,	99	03	39 61	6
Siam,*	127	54	51 —	1
Star of the West,	125	—	50 —	1
Swiss Boy,*	121	60	48 62	3
St. Lawrence,*	100	—	40 —	1
South Alabama,*	165	90	66 36	1
Souvenir,	88	66	35 46	2
Tuscarora,	286	86	114 74	13
Tusahoma,*	160	70	64 28	10
Tiskilwa,	88	25	35 30	16
Tuscumbia,*	82	25	32 90	2
Tchula,*	79	75	31 90	2
Tempest,	105	—	42 —	6
Teche,*	142	40	56 96	1
Tuskina,*	256	66	102 66	1
Uncle Sam,†	447	26	178 90	7
Velocipede,*	123	05	49 22	26
Wm. Penn,	84	06	33 62	29
Warsaw,	146	45	58 58	14
Waterloo,	90	10	36 05	25
Wyoming,	98	88	39 55	6
Wisconsin,	87	56	35 —	1
Washington,	139	78	55 91	6
Wheeling,*	93	37	37 34	15
Wm. Wallace,	60	—	24 —	1
Warren,*	290	50	116 20	2
Walter Scott,	193	45	77 38	3
Warrior,	100	23	40 09	1
Yellow Stone,	144	08	57 62	2
Yalobusha,	80	53	32 21	1

In addition to the above, there have passed 355 Flat and Keel Boats, which, with 1256 Steam Boats, as above, make the whole number of Boats, that have passed through the Canal during the year 1835, amount to 1611. ⚓ Those Boats marked with a Star, thus (*) were built in 1835—and those marked thus (†) are laid by.

JOHN HULME, Collector.

1. Mr. McHenry presented the petition of Jonas Boston, praying for a divorce from his wife, Polly Boston.

2. Mr. Morehead presented the petition of Edward Collins, praying for a divorce from his wife, Nancy Collins.

3. And Mr. Sisk presented the petition of eleven of the justices of the peace for Hopkins county, praying for the passage of a law authorizing the county court of said county, to impose such a tax on the real estate of said county, as will, in addition to the ordinary county levy, enable them to erect a new court house and other public works in said county, at as early a day as practicable.

Which petitions were severally received and referred, the first and second, to the committee of Religion, and the third, to the committee of Courts of Justice.

Mr. Guthrie, from the committee of Courts of Justice to whom was referred, a bill to amend the law as to proceedings against non-resident and absent defendants and unknown heirs, reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Guthrie, from the committee of Courts of Justice, reported a bill to provide for condemning land and materials for the construction of turnpike roads, bridges and other works of Internal Improvements.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Courts of Justice.

Ordered, that the public printer print one hundred and fifty copies of the said bill for the use of the General Assembly.

Mr. Daviess, from the committee of Propositions and Grievances, to whom was referred, a bill to regulate the compensation of members of the Legislature, reported the same with the opinion of the committee that it ought to pass.

Ordered, That the said bill be engrossed and read a third time to-morrow.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Jessup--1. A bill to repeal an act, entitled, an act to amend the law prohibiting the importation of slaves into this State, approved February the 2d, 1833.

By Mr. Guthrie—2. A bill to amend the laws against unlawful gaming.

By Mr. Daviess—3. A bill to regulate certain circuit courts.

By Mr. Guthrie—4. A bill to incorporate the Crab Orchard and Cumberland turnpike company.

And by Mr. Southgate—5. A bill for the benefit of the heirs of Samuel Lovejoy, deceased.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the second, third, fourth and fifth bills, having been dispensed with, the second and fifth, were referred to the committee of Courts of Justice; the third, was referred to a committee of Messrs. Daviess, Wingate and Boyd, and the fourth to the committee of Internal Improvements.

Ordered, That the public printer print one hundred and fifty copies of the second bill for the use of the General Assembly.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Willis—1. A bill to incorporate a company to construct a turnpike road from Elizabethtown, by the way of Hodgenville and Summersville to Greensburg.

On the motion of Mr. Willis—2. A bill to change the time of holding certain circuit courts, and for other purposes.

And on the motion of Mr. Murrell—3. A bill to prevent clerks of county courts from acting as attorneys at law, in the circuit courts of their respective counties.

Messrs. Willis, Guthrie and S. Young, were appointed to prepare and bring in the first; Messrs. Willis, Daviess and Thornton, the second, and the committee of Courts of Justice, was directed to prepare and bring in the third.

A bill from the House of Representatives, entitled, an act for the benefit of Leander J. Hammer and Rebecca D. Hammer, was read the third time.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing, that they had concurred in the amendments proposed by the Senate, to a bill from that House, entitled, an act to authorize the insertion of advertisements in the Hopinsville Gazette; and that they had passed bills of the following titles, viz:

1. An act for the benefit of William A. Coleman and Mary Coleman, his wife.

2. An act for the benefit of James Smith.

3. An act for the benefit of Penelope Jones.

4. An act to divorce James Baker.

5. An act for the divorce of Elizabeth Hall.
6. An act for the benefit of Beverly Stubblefield.
7. An act for the benefit of Christian Peters.
8. An act to amend the law in relation to the trial of the right of property.
9. An act to amend an act, entitled, an act to appropriate the vacant lands in this Commonwealth, east and north of the Tennessee river, to the counties in which they lie, for the purpose of Internal Improvement.
10. An act prescribing the mode of choosing electors to vote for President and Vice President.
11. An act to allow an additional justice of the peace to Lincoln county.
12. An act to revive and amend the Goose Creek turnpike road law.
13. An act to establish an election precinct in Bullitt county.
14. An act to amend the 14th section of an act, entitled, an act to amend and reduce into one the execution laws of this State, approved 12th February, 1828; and
15. An act further regulating the duties of the trustees of the town of Augusta.

The said bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the twelve bills first named, having been dispensed with; the first seven, were referred to the committee of Religion; the eighth, ninth and tenth, to the committee of Courts of Justice; the eleventh, was referred to a committee of Messrs. Smith, Daviess and Willis, and the twelfth to the committee of Internal Improvements.

The rule of the Senate, constitutional provision, and second and third readings of the thirteenth bill, having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Woolley, was appointed chairman of the committee of Education.

And then the Senate adjourned.

TUESDAY, JANUARY 12, 1836.

Mr. Woolley was added to the committee of Internal Improvements.

1. Mr. Morgan presented the petition of sundry citizens pray-

ing that a law may pass authorizing a turnpike road to be constructed from Elizaville, in Fleming county, to intersect the Maysville and Lexington turnpike, at or near Mayslick.

2. Mr. McHenry presented the petition of Nancy Fortner, praying for a divorce from her husband, Emanuel Fortner.

3. Mr. Watkins presented a circular letter signed by sundry persons, addressed to the several Baptist churches belonging to the General Union of Baptists in Kentucky, in relation to the Kentucky Baptist Education Society, and the petition of the Georgetown church, praying for the passage of a law modifying the charter of the said Education Society.

4. Mr. Harreld presented the petition of William Mason, of Butler county, praying that a law may pass releasing to him the title to two hundred acres of land on which he now lives, the said land having been sold to pay a debt due to the Bank of the Commonwealth, for which he was bound as security, and purchased by the Bank.

5. Mr. Lyon presented the petition of the citizens of the town of Smithland, praying for the incorporation of an Insurance company in said town.

6. And Mr. Thornton presented the petition of the widow and heirs of Benjamin Mills, deceased, praying for the passage of a law authorizing a conveyance of a tract or tracts of land in Meade county.

Which petitions were severally received and referred: the first, to the committee of Internal Improvements; the second and third, to the committee of Religion; the fourth, to the committee of Finance, and the fifth and sixth, to the committee of Courts of Justice.

Mr. Miller, from the committee of Religion, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of William A. Coleman, and Mary Coleman his wife, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Grider—1. A bill to incorporate the Bowlinggreen Portage Railway company.

And on the motion of Mr. Morgan—2. A bill for the benefit of Catharine Fouch.

Messrs. Grider, Guthrie and S. Young, were appointed a committee to prepare and bring in the first, and Messrs. Morgan, James and Lyon the second bill.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Miller, from the committee of Religion—1. A bill to restore Philip King, to the rights of an unmarried man.

By Mr. Wakins—2. A bill for the better regulation of the town of Hardisburg, and for other purposes.

By Mr. Willis—3. A bill to change the time of holding certain circuit courts, and for other purposes.

By Mr. Parker—4. A bill to amend the charter of the city of Maysville.

By Mr. Willis—5. A bill to appropriate the fines and forfeitures of Green county, to New Athens Academy.

By Mr. Lyon—6. A bill to incorporate the Eddyville Hotel company.

And by Mr. Grider—7. A bill to incorporate the Bowlinggreen Portage Railway company.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the second, third, fourth, fifth and seventh, bills having been dispensed with, they were referred, the second, third, fourth and fifth, to the committee of Courts of Justice, and the seventh, to the committee of Internal Improvements.

The rule of the Senate, constitutional provision, and second and third readings of the first and sixth bills, having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Smith, from the committee to whom referred, a bill from the House of Representatives, entitled, an act to allow an additional justice of the peace to Lincoln county, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill, having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

The Speaker laid before the Senate, a letter from the Auditor of Public Accounts, enclosing his annual report, the said letter and report are as follows, viz:

STATE OF KENTUCKY, }
 Auditor's Office, Jan. 12, 1836. }

HON. WM. B. BLACKBURN,

Speaker of the Senate,

SIR:—Pease lay befor the Senate, the enclosed Annual Report of this Office.

And oblige yours, &c.

BEN. SELBY, *Auditor.*

No. 1.

A statement of moneys received and paid into the Treasury for the year ending October 10, 1835, from the ordinary sources of Revenue, viz:

Bank Stock Fund—

Received for the sale of land warrants, authorized by acts of 1815, 1820, and 1825,	\$1,293 55
Warrants to be laid on forfeited lands,	25 00
Warrants to be laid on lands East and West of Cumberland river,	115 85

Non-residents' Land—

Received for tax on same,	2,295 16
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Miscellaneous Receipts—

For taxes received for the redemption of resident lands, including \$90 34, the proceeds of property belonging to the state, sold by Joseph Gray, and \$60 refunded, having been by mistake drawn from the treasury,	195 78
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Revenue collected by Clerks—

For taxes received on law process, &c.	23,277 69
Fees received of Register of the land office,	491 30

Revenue collected by Sheriffs—

For revenue, 1833, and 1834,	124,518 80
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Loans to the Penitentiary—

Received of Joel Scott, agent and late keeper of the Penitentiary, part of the proceeds from sales of raw materials and manufactured articles belonging to the institution aforesaid,	6,000 00
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\$158,123 13

For the general expenses, the following is the amount:

Of warrants reported to have been paid by the treasurer during the past year, ending Oct. 10, 1835,	155,533 55
To which add the balance due from government on the 10th October, 1834,	57,912 42

213,445 97

From which, deduct the above amount of receipts for ordinary purposes of government,	158,123 13
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Balance due from government, on the 10th Oct. 1835,	<u>\$55,322 84</u>
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No. 2.

A statement of moneys received and paid into the Treasury, for the year ending, and including the 10th day of October, 1835, for Internal Improvements, viz:

Internal Improvement Fund—

For dividend declared on State's stock by the Bank of Kentucky,

ditto for tax received from the Bank of Louisville, on 11,500 shares of stock owned by individuals, at 40 cents for each share,	\$4,600 00
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ditto for part of the tax, on same number of shares in said bank, which was due and unpaid July 1st, 1835, at 40 cents each share,	1,725 00
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Interest for the detention of same,	103 50
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\$6,428 50

Received of Edmund Curd, receiver of public moneys West of the Tennessee river, in Commonwealth paper,

5,838 25

In specie,

5,490 00

5 per cent advance,

274 50

11,602 75

Received of James T. Morehead, President of the Board of Internal Improvement for the State of Kentucky, for sale of state scrip to the Bank of Louisville,

100,000 00

ditto to Bank of United States, New York,

\$100,000 at a premium of 3 per cent. 103,000 00

Received for premium on \$83,000, sold to said bank,	207 50	
	<hr/>	203,207 50
		236,156 25
Of which, is in Commonwealth paper,	11,602 75	}
ditto. in specie,	224,553 50	
Warrants for Internal Improvements, re- ported to have been paid by the Treasurer, from Oct. 11, 1834, to Oct. 10, 1835, inclusive,		152,566 90
Leaves a balance in the Treasury, on the 10th October, 1835, of internal improve- ment fund,		<hr/> 83,589 35 <hr/>

*Total amount of receipts paid into the Treasury, for the past year, en-
ding 10th October, 1835.*

From the ordinary sources of revenue,	158,123 13	
Internal Improvements,	236,156 25	
	<hr/>	394,279 38

From which, deduct total amount of warrants reported to have been paid since the 10th October, 1834, to, and including 10th Oc- tober, 1835,		308,100 40
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Total balance in Treasury on the score of the past years business alone,		86,178 98
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From which, deduct the balance due from government for the year ending 10th Oc- tober, 1834,		57,912 42
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The nett balance from all sources remaining in the treasury, the 10th October, 1835,		<hr/> 28,266 56 <hr/>
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No. 3.

*A statement of warrants issued by the Auditor of Public Accounts for
the common expenses of the Government, from the 11th October, 1834,
to the 10th October, 1835, viz:*

Public Printer,	\$ 19 75
Attornies,	4,477 56
Military expenditures,	432 24
Idiots,	12,563 62

Clerks service,	8,827 20
Jailers,	7,775 08
Commissioners of Tax,	8,970 46
Executive offices,	3,003 99
Decisions Court Appeals,	2,562 00
Contingent expenses,	3,187 30
Public roads,	317 75
Criminal prosecutions,	12,264 10
Salaries,	26,532 19
Appropriations, D. S. 1833,	24,283 32
Appropriations, D. S. 1834,	14,082 80
Sheriffs comparing polls,	182 18
Slaves executed,	575 00
Sheriffs for Revenue, 1833,	11 08
do. do. 1834,	102 28
Kentucky Institution, Deaf and Dumb Asylum,	1,108 72
Public communications,	646 94
Legislature, D. S. 1834,	19,633 60
Distributing acts and journals, 1834,	250 00
do do 1833,	90 00
Purchasers of non-resident lands,	6 98
Money refunded,	91 81
Loans to the Penitentiary,	6,000 00

\$157,997 95

From which, deduct warrants for the common expenses of the government, as reported to have been paid by the treasurer for the year ending 10th day of October, 1835,

155,533 55

Unpaid warrants, 10th October, 1835,

2,464 40

Warrants issued for the following improvements, are included in the amounts issued under the head of appropriations, D. S. 1833, and appropriations D. S. 1834, viz:

For Nolin,	\$500 00
For Muddy river,	500 00
For a road from Cloverport to Bowlinggreen,	300 00

No. 4.

A statement of warrants issued by the Auditor of Public Accounts, for objects of Internal Improvements, from 11th October, 1834, to October 10, 1835, inclusive, viz:

Maysville, &c. Turnpike Road Company—			
Internal Improvement fund,	\$12,000		
State Scrip,	19,200		
			\$31,200 00
Winchester and Lexington Turnpike Company—			
Internal Improvement fund,			7,800 00
Danville, Lancaster and Nicholasville Turnpike Road Company—Internal Improvement fund,			
			18,000 00
Lexington and Georgetown Turnpike Road Company—			
Internal Improvement fund,			2,000 00
Anderson county Board of Internal Improvement—			
Internal Improvement fund,			11,000 00
Mercer county Board of Internal Improvement—			
Internal Improvement fund,	1,500		
State scrip,	2,800		
			4,300 00
Bardstown and Louisville Board of Internal Improvement—			
State scrip,			10,000 00
Frankfort, Versailles and Lexington Board of Internal Improvement—Internal Improvement fund,			
	5,500		
State scrip,	5,000		
			10,500 00
Appropriations 1833 and 1834, for Green river principal falls—Internal Improvement fund,			
	10,000		
State scrip,	50,000		
			60,000 00
Cumberland river—			
Internal Improvement fund,			5,000 00
Beechfork bridge, Washington county—			
Internal Improvement fund,			1,000 00
Kentucky river,			
State scrip,			5,000 00
Engineers' corps for salaries, &c.			
Internal Improvement fund,			1,116 90
			\$166,916 90

From which, deduct the amount of warrants reported to have been paid by treasurer,

from October 11, 1834, to Oct. 10, 1835,
inclusive,

For internal Improvements, 152,566 90

Warrants unpaid October 10, 1835, 14,350 00

To which, add warrants unpaid for the gen-
eral expenses of government, as before
stated, 2,464 40

Total amount of warrants unpaid 10th Oc-
tober, 1835, 16,814 40

Which sum, when deducted from total amount
of balances left in the treasury on the 10th
day of October, 1835, as before stated, 86,178 98
16,814 40

Leaves a sum subject to future drafts of 69,364 58

For the usual expenses of government, 125 20

For Internal Improvement, 69,239 38
69,364 58

Which shows that the common receipts into
the treasury, for the past year, ending this
day, exceeds the ordinary disbursements
for the same time, to the amount of \$125 20

No. 5.

Statement of debts due to Government on the 10th October, 1835, viz.

Of revenue collected by Sheriffs—

For the year	1793,	\$ 104 06
"	1794,	138 61
"	1796,	1,805 36
"	1798,	101 86
"	1799,	217 25
"	1800,	172 26
"	1802,	31 99
"	1803,	1,662 21
"	1806,	613 26
"	1807,	279 43
"	1809,	48 58
"	1811,	52 44
"	1815,	10 26
"	1817,	754 54

"	1819,	842 86
"	1820,	472 30
"	1821,	330 02
"	1823,	374 16
"	1824,	510 67
"	1825,	1,010 58
"	1828,	16 54
"	1829,	12 56
"	1830,	519 30
"	1831,	615 00
"	1833,	529 89
"	1834,	845 69
		<hr/>
		\$12,171 18
Debts receivable,		7,127 84
Tax on bank stock, (Independent banks,)		1,105 06
Loans to the Penitentiary,		64,743 46
Treasury, town of Columbus, for amount retained in the hands of the treasurer thereof, to cover expen- ses directed by trustees,		50 00
Clerks, for taxes received,		7,703 49
		<hr/>
Total amount due to government, Oct. 10, 1835,		\$92,901 03

No. 6.

Lexington and Ohio Rail Road Company—

This amount of bonds issued, upon which
the faith and credit of the state is pledg-
ed for payment, in accordance with an
act of assembly, approved February, 2,
1833,

\$123,000 00

Stock owned by the State—

In the Bank of Kentucky,

119,340 00

In Commonwealth Bank, in specie,

1,701 07

In commonwealth paper,

469,619 10

471,319 26

Turnpike Roads—

Maysville, Washington, Paris, and Lex-
ington,

143,874 53

Shelby county,

49,998 31

Franklin county,

21,050 00

Taylorsville bridge,	3,278 56
Muldrow's bill,	6,000 00
Winchester and Lexington,	7,800 00
Danville, Lancaster and Nicholasville,	18,000 00
Lexington and Georgetown,	2,000 00
Anderson county board,	11,000 00
Mercer county board,	4,300 00
Bardstown and Louisville,	10,000 00
Frankfort, Versailles and Lexington,	10,500 00
Total amount of stock owned by the state of Kentucky in the above named companies,	<u>\$878,460 71</u>

No. 7.

*A statement of debts due from Government on the 10th October, 1835,
for which the Treasury is bound for payment:*

Sheriffs for revenue--

For amount overpaid revenue 1813;	\$ 8 32
“ “ 1822,	1 02
“ “ 1826,	7 80
“ “ 1827,	4 68

To town of Columbus,	4,263 81
Purchasers of non-resident lands,	268 79

Warrants unpaid in Commonwealth paper,	2,464 40
“ “ specie,	14,350 00
	<u>16,814 40</u>

Attorneys, for salaries due, 1,253 97

Salaries due to Judiciary and Executive
offices, 10,068 58

To the Penitentiary, 21,055 57

Treasurer of the town of Wardsborough, 05

Total amount of debts due from the govern-
ment on the 10th October, 1835, \$53,746 99

*A statement showing the debts and credits of the revenue accounts for
1834, as due from Sheriffs during the year ending on the 10th October,
1835.*

DEBTS.

Balance due on the 10th October, 1834,	\$117,530 15
Commissioners books and additional lists charged, &c.	21,645 50
	<u>\$139,175 65</u>

CREDITS.

By amount paid treasurer as in statement, No. 1,	124,518 80
Delinquents and commissions, &c.	13,811 16
	<hr/>
	\$138,329 96
Balance due government on the 10th October, 1835,	
as in statement, No. —,	<hr/>
	\$845 69

A statement showing the debts and credits of the accounts of Clerks of Courts, and Register of the Land Office for the collection of tax on law process, deeds, seals, &c. during the year ending Oct. 10, 1835.

DEBTS.

Balance due on the 10th October, 1834,	\$ 7,486 88
Amount of accounts rendered, commissions for collecting deducted,	23,898 63
Costs of suits, &c.	86 97
	<hr/>
	\$31,472 48

CREDITS.

By amount paid the treasurer as in statement, No. 1,	\$23,768 99
Balance due government on the 10th October, 1835,	<hr/>
	\$7,703 49

No. 8.

A statement of monies expected to be paid into the Treasury during the year ending and including the 10th day of October, 1836, subject to the ordinary expenses of the government, viz:

The gross amount of revenue collectable by sheriffs, for the year 1835, and made payable by law on the first Monday in December next,

149,751 82

The loss on the collection—

The same including delinquents, exonerations, forfeited lands, and compensation for killing Wolves, is supposed, will be less than heretofore, say the loss will be ten per cent only,

1,497 51

Delinquent sheriffs,

1,600 00

3,097 51

Which leaves a sum that is expected to be paid into the Treasury,

146,654 31

Of the revenue expected to be received from clerks, &c. the ensuing year, is

25,000 00

Miscellaneous receipts,	200 00
Tax on non-resident lands,	20,000 00
From balance due government, as in statement No. 5, will be collected of revenue due from sheriffs,	300 00
Taxes due from clerks, &c. &c.	500 00

Of the other balances, but a small sum can be expected.

Total amount of monies expected to be received during the year ending 10th October, 1836,	192,654 31
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A statement shewing the probable amount of the expenditures of the government for the year ending the 10th day October, 1836, (viz.)

Jailers,	7,775 08
Executive offices,	3,003 99
Public printer,	19 75
Distributing acts and journals,	340 00
Criminal prosecutions,	12,264 10
Public communications,	646 94
Contingent expenses,	3,187 00
Salaries of executive and judicial officers,	26,532 19
Military expenditures,	432 24
For support of idiots,	12,563 62
Decisions of the court of appeals,	2,562 00
Public roads,	317 75
Slaves executed,	575 00
Commissioners of tax,	8,970 46
Sheriffs for revenue over paid,	113 38
Turnpike roads,	94,800 00
Legislature, D. S. 1835, including all expenses, supposing a session of eight weeks,	40,000 00
Lunatic asylum,	6,500 00
Appropriation, D. S. 1834, unpaid,	15,000 00

Total amount expected to be expended during the next
year, ending 10th October, 1836, 235,603 50

To which add the balance due from government, 10th
October, 1835. 53,746 99

Expected expenditures for next year, 181,856 51

Which sum when deducted from the expected receipts as before stated,	192,454 81
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Leaving a supposed balance that will be due from gov- ernment on the 10th October, 1836,	10,797 80
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BEN. SELBY, Auditor.

Ordered, That the said report be referred to the committee of Finance; and that the public printer print one hundred and fifty copies thereof for the use of the General Assembly.

Mr. May moved that a message be sent to the House of Representatives, requesting leave to withdraw the report of the passage of a bill from that House with amendments, entitled, an act to protect the *bona fide* land claimants in this Commonwealth.

The question being taken thereon, it was decided in the negative, and so the said motion was rejected.

On the motion of Mr. Morehead, leave was given to withdraw the petition of Lewis Ragsdale.

Mr. Willis having obtained leave, reported a bill to provide for the payment of subscriptions and appropriations to works of Internal Improvement in certain cases.

And Mr. Guthrie having obtained leave, reported a bill the better to protect proprietors of ferries across the Ohio and Mississippi rivers.

The said bills were each read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, the former was referred to the committee of Finance, and the latter to the committee of Courts of Justice.

On the motion of Mr. Watkins, leave was given to the editor of the Louisville Journal to take a seat in the Senate chamber, for the purpose of reporting the proceedings of the Senate.

A bill to take the sense of the people of this Commonwealth as to the propriety and expediency of calling a convention, came up for consideration.

Mr. Thornton moved that the said bill be passed over in the orders of the day.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McHenry and Willis, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Carter, Grider, Harreld, Jessup, Metcalfe, Miller, Murrell, Parker, Smith, Thornton, Watkins, Woolley and S. Young—15.

NAYS—Messrs. Bramlette, Daviess, Gilbert, Guthrie, James, Lusk, Lyon, McDonald, McHenry, May, Morehead, Morgan, Patterson, Sisk, Southgate, Willis and A. Young—18.

The question was then taken on engrossing the said bill and reading it a third time to-morrow, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Willis and Murrell, were as follows, viz:

YEAS—Messrs. Bramlette, Daviess, Gilbert, Grider, Guthrie, James, Jessup, Lyon, McDonald, McHenry, May, Morehead, Morgan, Patterson, Sisk, Southgate, Willis and A. Young—18.

NAYS—MR. SPEAKER, Messrs. Boyd, Carter, Harreld, Lusk, Metcalfe, Miller, Murrell, Parker, Smith, Thornton, Watkins, Woolley and S. Young—14.

An engrossed bill entitled, an act to regulate the compensation of the members of the Legislature, was read a third.

And the question being taken on the passage thereof, it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon, by Messrs. Jessup and Parker, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bramlette, Bush, Carter, Grider, Guthrie, Harreld, McDonald, May, Miller, Smith, Watkins, Willis, Woolley and A. Young—16.

NAYS—Messrs. Daviess, Gilbert, James, Jessup, Lusk, Lyon, McHenry, Metcalfe, Morehead, Morgan, Murrell, Parker, Patterson, Sisk, Southgate, Thornton and S. Young—17.

On the motion of Mr. Lusk, the said vote was reconsidered, and the said bill was laid on the table.

A bill to repeal an act, entitled, an act to amend the law prohibiting the importation of slaves into this State, approved February 2d, 1833, was read the second time, and ordered to be engrossed and read a third time to-morrow.

Bills from the House of Representatives, of the following titles, viz:

An act to amend the 14th section of an act, entitled, an act to amend and reduce into one the execution laws of this State, approved 12th of February, 1828.

And an act further regulating the duties of the trustees of the town of Augusta.

Were each read the second time, and referred to the committee of Courts of Justice.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled, an act for the benefit of Daniel Curd, surveyor of Barren county.

And that they had passed bills which originated in that House of the following titles, viz:

1. An act for the benefit of William Morris, sheriff of Clay county.
2. An act to amend the penal laws.
3. An act for the benefit of James McGinnis.
4. An act abolishing the election precinct in Clarke county, commonly called the Stoner precinct, and for other purposes.
5. An act appropriating the fines and forfeitures in Jefferson county.
6. An act for the benefit of the administrators of G. C. Goodridge.
7. An act for the benefit of Rebecca Dye.
8. An act to establish a State road from Hopkinsville, by way of Eddyville, to Smithland, in Livingston county; and
9. An act to authorize the county court of Logan, to appoint an additional constable.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, the first six were referred to the committee of Courts of Justice; the seventh, to the committee of Religion; the eighth, to the committee of Internal Improvements; and the ninth, was amended, and ordered to be read a third time.

The rule of the Senate, constitutional provision, and third reading of the ninth bill, having been dispensed with,

Resolved, That the said bill as amended, do pass, and that the title thereof be as aforesaid.

A message in writing was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State.

The rule of the Senate having been dispensed with, the said message was taken up, and read, as follows, viz:

Gentlemen of the Senate—

I nominate, for your advice and consent, *Charles B. Williams*, to be mayor of the city of Maysville.

Also, *Thomas S. Redd*, to be sheriff of the county of Fayette, in place of *O. Keen*, resigned.

J. T. MOREHEAD.

January 12, 1836.

Resolved, That the Senate advise and consent to the said appointments.

Ordered, That Mr. Parker, inform the Lieutenant and acting Governor thereof.

And then the Senate adjourned.

WEDNESDAY, JANUARY 13, 1836.

On the motion of Mr. Wingate,

Ordered, That a message be sent to the House of Representatives, requesting leave to withdraw the report of the passage of a bill entitled, an act to incorporate the Franklin Bridge company, and Mr. Wingate was directed to carry the said message.

After a short time the said bill was returned to the Senate.

The Speaker laid before the Senate the annual report of the trustees of the Deaf and Dumb Asylum at Danville: the said report is as follows, viz:

*To the Honorable, the General Assembly
of the Commonwealth of Kentucky.*

The Trustees of the Asylum for teaching the Deaf and Dumb, respectfully report:

That the Institution is in successful operation, and the pupils enjoy good health.

The same teachers, improved by experience, are employed, Mr. and Mrs. Jacobs are Superintendent and Matron, in place of Dr. Luke Munsell and Lady, resigned.

From the last accounts from Col. Allin, our Agent in Florida, we have good reason to believe that the sales of land received as a donation from Congress, are nearly closed; and by information received from unquestional sources, we have no doubt Col. Allin has discharged the trust confided to him with prudence and fidelity. In the course of a few months the sales will be closed, and we expect from that source, including former remittances, about sixty thousand dollars.

The rates of tuition have been changed since our last report; pupils, who pay charges, now pay \$85 per annum for board and tuition; and since October last, we have reduced the sum to be paid by the State, to \$100 in Commonwealth notes. We trust, that the interest accruing on debts to the Institution, will enable us to sustain it with those charges. The reason why we ask a larger sum for indigent State pupils, is, because some of them have neither father

or mother that we can hear of; they are badly supplied with clothing, and have been heretofore mainly supplied by gratuities, obtained by the principal teacher. We trust the Legislature will see, in the reduction of one third of the sum allowed by law for maintenance of indigent pupils, a disposition in the Trustees to make the Asylum as little chargeable to the State, as is consistent with the welfare of the State pupils. For the better accommodation of the pupils, we have commenced a building for school rooms, and sitting and lodging rooms, which will add much to their comfort. The cost is estimated at \$5,000.

Accompanying this report, you will please observe a communication from Mr. Jacobs, marked A, suggesting an extension of the time pupils may stay in the Asylum to five years. We have no doubt it would be a great benefit to them; and the whole sum received from the State will be one hundred dollars less for each pupil than has been heretofore paid.

The paper marked B, is the Treasurer's account. It will be perceived that a large amount of the funds of the Asylum are in bonds, in the hands of our Agent in Florida, for lands sold.

The paper marked C, is a list of the pupils now in the Asylum.

Officers of the Asylum.

John A. Jacobs and Lady, superintendent and matron; John A. Jacobs, principal teacher; Wm. D. Keer, assistant teacher; Dr. John Todd, physician; James C. Barnes, chairman of the Board of Trustees; James Barbour, treasurer; Rev. John C. Young, secretary.

TOHN TODD, } Committee.
J. BARBOUR, }

[A]

DANVILLE, KY. JANUARY 1, 1836.

To the Board of Trustees of the Kentucky Asylum:

I would respectfully recommend to the Board of Trustees to apply to the Legislature, now in session, for an extension of the term allowed to the State pupils to five years. Five years is but a moderate length of time for one of these unfortunate persons to acquire a competent degree of knowledge for necessary intercourse with his fellow men. Although, in the present time allowed, four years, many of them will make astonishing progress, yet others not so talented will fall short of adequate acquirements.

Inasmuch as the Board has diminished the expenses of the State pupils one third, I cannot but believe the Legislature would yield to the request. It would not be too much, I think, to ask that the

privilege should be extended to those who have left the Institution. Respectfully,

J. A. JACOBS.

[B]

Statement showing the situation of the funds of the Institution on the third November, 1835.

1. Balance on hand 3rd Nov. 1834,	\$ 6,904 03
2. Amount received from the treasury for support of indigent pupils from 3rd November, 1834, to 3rd November, 1835,	1,361 54
3. Cash received for tuition fees,	97 00
4. Cash received from Col. Allin,	8,000 00
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	\$16,362 57
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5. To cash paid Mr. Jacobs, principal teacher,	750 00
6. To cash paid Mr. W. D. Kerr, assistant teacher,	500 00
7. Board of pupils, 3rd August 1825,	650 33
8. Fuel for school room,	30 00
9. Insurance to January, 1836,	18 00
10. Advertising,	8 50
11. Town tax,	3 25
12. Books, stationary and apparatus,	50 55
13. Mr. Jacobs' travelling expenses with a pupil,	46 00
14. Paid Dr. Todd,	7 00
15. Paid for boring well,	42 50
16. Paid for work, new building,	2,380 00
17. Amount allowed treasurer,	50 00
18. Postage,	3 91
19. Medicine,	4 50
20. Amount of notes on hand,	10,000 00
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	\$14,544 54
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Cash on hand,	\$1,818 03
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[C]

List of Pupils in the Kentucky Asylum, November 3, 1835.

NO.	NAMES.	AGE.	RESIDENCE.	CIRCUMSTANCES.
1.	Ellen Mills,	15,	Breckenrige co.	Indigent.
2.	George Adams,	15,	Rockcastle co.	do.
3.	William Hicks,	13,	Bracken co.	do.

4.	Jacob N. Johnson,	15, Bourbon co.	Indigent.
5.	George W. Blackford,	13, Warren co.	do.
6.	Charles A. Weldon,	15, Bracken co.	do.
7.	Lewis Hudson,	13, Alabama,	Pays charges.
8.	Nancy Hudson,	8, do.	do.
9.	Margaret Swope,	15, Garrard co.	Indigent.
10.	William H. Holmes,	18, Indiana,	Pays charges.
11.	Mary Gore,	12, Caldwell co.	Indigent.
12.	Mastan Gore,	8, do.	do.
13.	Araminta Fox,	8, Louisville,	Pays charges.
14.	Moses Bledsoe,	12, Danville,	Tuition pd. by State.
15.	Joseph W. Rodes,	17, Fayette co.	Pays charges.
16.	Jacob Todhunter,	15, Jessamine co.	do.

The Speaker laid before the Senate the petition of sundry persons, praying for the passage of a law modifying the charter of of the Baptist Education Society, which was referred to the committee of Courts of Justice.

Mr. Willis presented the petition of sundry citizens of Green county, praying for an appropriation to improve parts of the road from Lexington to Nashville,

Which was received and referred to a committee of Messrs. Willis, Murrell and Morehead.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act for the benefit of the heirs of Benjamin Long.

An act to reduce the number of justices of the peace and constables in Adair county.

An act to authorize Waller R. Dupuy and Mary J. Dupuy, his wife, to sell and convey a tract of land lying in Christian county.

An act allowing Spotswood Wilkinson to sell an interest in certain real estate, for the devisees of E. P. Wilkinson, deceased.

An act for the benefit of Pandora A. Huff.

An act for the benefit of Aaron Allison.

An act for the benefit of Rebecca Shepherd.

An act for the benefit of Susannah Drane.

An act for the benefit of Thomas J. Kirtly.

An act for the benefit of Susan Threlkeld.

An act to repeal the first, second and third sections of an act, to improve the navigation of Salt river, and for other purposes.

An act to reduce the number of justices of the peace in Butler county.

An act to establish the town of Bryantsville, in Garrard county.

And an act to amend an act to provide for the improvement of the road from Franklin county, to the Crab Orchard in Lincoln county.

And that they had received official information, that the Lieutenant and acting Governor did, on the 9th instant, approve and sign enrolled bills, which originated in that House, of the following titles, viz:

An act to repeal an act, entitled, an act to change the constable's district, including the town of Bowlinggreen, approved November 11, 1825.

An act to reduce the number of magistrates in Muhlenburg county.

An act to change the place of voting in the upper precinct in Monroe county.

An act to allow three additional terms to the Boone county court.

An act to enable the clerk of the General court to renew his official bond.

An act to alter the limits of the town of Cadiz.

An act to authorize the editor of the Russellville Advertiser to publish advertisements; and

An act to alter the time of holding the Harrison county court.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act further regulating the duties of the trustees of the town of Augusta.

An act prescribing the mode of choosing electors to vote for President and Vice President.

And an act abolishing the election precinct in Clarke county, commonly called the Stoner precinct, and for other purposes,

Reported the same without amendment.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Guthrie, from the same committee to whom was referred the following bills, viz:

A bill to incorporate the Eddyville Hotel company.

And a bill for the better regulation of the town of Hardinsburg, and for other purposes,

Reported the same without amendment.

Ordered, That the said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Guthrie, from the same committee, to whom was referred a bill the better to protect proprietors of ferries across the Ohio and Mississippi rivers,

Reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time to-morrow.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred a bill from the House of Representatives, entitled, an act to amend the 14th section of an act, entitled, an act to amend and reduce into one the execution laws of this State, approved 12th February, 1828, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Guthrie, who voted in the majority of the vote by which the said bill was passed was reconsidered, and the said bill was recommitted to the committee of Courts of Justice.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred a bill from the House of Representatives, entitled, an act to amend the law in relation to the trial of the right of property, reported the same, with the opinion of the committee, that it ought not to pass.

The said bill is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That in all trials of the right of personal property, taken in execution in this Commonwealth, to which claim is set up by any person or persons, not parties thereto, it shall be the duty of some justice of the peace, for the county where the same is so taken, to preside at the trial, decide points of law, and administer oaths to the jurymen and witnesses.

The question being taken on reading the said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. Wingate and Guthrie, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Bramlette, Carter, Gilbert, Grider, Metcalfe, Miller, Sisk, Southgate, Wingate, and Stanley Young—11.

NAYS—Messrs. Boyd, Bush, Daviess, Guthrie, Hanson, Harreld, James, Jessup, Lusk, Lyon, McDonald, McHenry, May, Morehead, Morgan, Murrell, Parker, Patterson, Smith, Thornton, Watkins, Willis, Woolley and A. Young—24.

Mr. Metcalfe, from the committee of Internal Improvements, to

whom was referred bills from the House of Representatives, of the following titles, viz:

An act to establish a State road from Hopkinsville by way of Eddyville to Smithland, in Livingston county.

And an act to revive and amend the Goose creek turnpike road law,

Reported the same without amendment.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported, viz:

By Mr. Guthrie, from the committee of Courts of Justice—1. A bill authorizing the county court of Hopkins to levy a tax on the real and personal estate of said county.

And 2. A bill to establish a police court in the city of Louisville, and to amend the charter of said city.

By Mr. Daviess, from the committee of Propositions and Grievances—3. A bill authorizing the county court of Rockcastle county, to sell a part of the public ground, in the town of Mount Vernon.

And by Mr. Metcalfe, from the committee of Internal Improvements—4. A bill to amend an act, entitled, an act for the Internal Improvement of the State of Kentucky, approved the 28th February, 1835.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the first, second and third bills having been dispensed with, the first and second were referred to the committee of Courts of Justice, and the third was referred to the committee of Propositions and Grievances.

The rule of the Senate, constitutional provision, and second and third readings of the fourth bill, having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred a bill to change the time of holding certain circuit courts, and for other purposes, reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

An engrossed bill entitled, an act to take the sense of the people of this Commonwealth, as to the expediency and propriety of calling a convention, was read the third time, as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That it shall be duty of the sheriffs, and other returning officers of elections at the several places appointed by law to hold the annual elections for the year eighteen hundred and thirty-six, to open columns in their several poll books for the qualified voters to vote for and against a convention; and it shall be the duty of the several sheriffs aforesaid, to meet at the Capitol, in the town of Frankfort, on the thirtieth day after the commencement of the election, if it be not Sunday, and if Sunday, then on the thirty-first day after the commencement of the election, and then, and there, as soon as may be, ascertain the number of votes given in the State, for and against a convention, and deliver the result so ascertained, to the Secretary of State for the time being, to be by him delivered to the next General Assembly, within the first week of its session, together with a certificate of the number of qualified voters in this State: and the several sheriffs shall be allowed the same compensation for attending and counting the votes, that they are now allowed by law for attending to compare the polls for Governor and Lieutenant Governor.

SEC. 2. *Be it further enacted,* That any sheriff failing to perform his duty, according to the provisions of the first section of this act, shall be subject to a fine of six hundred dollars, to be recovered by action of debt by any person suing for the same, in any court having jurisdiction thereof, and shall also be subject, upon conviction of such failure, to removal from office.

SEC. 3. *Be it further enacted,* That it shall be the duty of the several sheriffs of this Commonwealth to read, or cause to be read, this act, at their several places of voting in their respective counties, at the opening of the polls on each day of the next annual election; and in case of failure to do so, the said officer shall be liable and subject to the same penalties which are prescribed in the second section of this act, for failing to perform his duty, according to the provisions of the first section of this act.

SEC. 4. *Be it further enacted,* That the public printer shall, upon a separate leaf, or sheet, print fifteen hundred copies of this act, and furnish them to the Secretary of State, who shall send to each county in the State, at the time of forwarding the acts of assembly, to the clerk's office of the county court of each county, fifteen of these copies, and the Secretary shall take a receipt of the carriers thereof, who shall take the receipt of the respective clerks to whom he may deliver them, and the respective clerks of the county courts shall deliver them to the high sheriff of their respective counties, and take his receipt for the same, a copy of

which act shall be by him delivered to each of his deputies, to be by them read at their several precincts, as required by this act.

SEC. 5. *Be it further enacted*, That in case of the sickness, death, or inability of the sheriff of any county in the State to attend to compare the list of votes in his or their county or counties, at the seat of government, it shall be the duty of the county court clerk of such county, to attend with such list of votes of said county, who shall be liable to the same penalties for a failure to discharge the duties hereby imposed, and he shall receive the same compensation.

The question being taken on the passage of the said bill, it was decided in the negative.

A majority of all the members elected to the Senate, not having voted therefor, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Willis and Murrell, were as follows, viz:

YEAS—Messrs. Bramlette, Bush, Daviess, Gilbert, Grider, Guthrie, James, Jessup, Lyon, McDonald, McHenry, May, Morehead, Morgan, Patterson, Sisk, Southgate, Willis and A. Young—19.

NAYS—MR. SPEAKER, Messrs. Boyd, Carter, Hanson, Harrel, Lusk, Metcalfe, Miller, Murrell, Parker, Smith, Thornton, Watkins, Wingate, Woolley and S. Young—16.

The Senate, according to the standing order of the day, resolved itself into a committee of the whole House on the State of the Commonwealth, Mr. Boyd in the chair.

After some time spent in committee, the Speaker resumed the chair, when Mr. Boyd reported that the committee had, according to order, had under consideration a bill to fix the ratio and apportion the representation for the ensuing four years, and had made some progress therein, but not having time to go through the same, had directed him to ask for leave to sit again; which leave was granted.

Mr. Murrell, from the joint committee of Enrollments, reported that the committee had examined enrolled bills and a resolution of the following titles, viz:

An act for the benefit of Daniel Curd, surveyor of Barren county.

An act to authorize the insertion of advertisements in the Hopkinsville Gazette and Western Visiter.

An act for the benefit of Thomas F. Hackley.

An act for the benefit of Elizabeth Maxey.

An act for the relief of the infant devisees of Thomas Berlyman, deceased.

An act for the benefit of Sophia Warrenner.

An act to establish an election precinct in Marion county.

An act for the benefit of Bartlett L. Graves.

And a resolution to examine the Lunatic Asylum and Transylvania University.

And had found the same truly enrolled; that said bills and resolution had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

And then the Senate adjourned.

THURSDAY, JANUARY 14, 1836.

Mr. Watkins presented the petition of the county court of Hancock county, and the heirs of Richard Hawes, deceased, praying that a law may pass establishing the town of Hawesville.

Mr. Harreld presented the petition of sundry citizens, praying that a law may pass appointing commissioners to lay off in suitable lots and sell the landed estate of Willis Morgan, deceased, for the purpose of paying his debts.

And Mr. Willis presented the petition of Yelverton O. Booker, praying for the passage of a law, making him compensation for his expenses and trouble in pursuing and bringing from the State of Tennessee, to Green county, a person charged with horse stealing.

The said petitions were received and referred to the committee of Courts of Justice.

Mr. Woolley presented the memorial of the President and Directors of the Lexington and Ohio Rail Road company, praying for the passage of a law authorizing a subscription on the part of the State, for stock in said company, and for amending their charter.

Which was received and referred to the committee of Internal Improvements.

Ordered, that the public printer print one hundred and fifty copies of the said memorial for the use of the General Assembly.

On the motion of Mr. Daviess, who voted in the majority, the vote was reconsidered, by which was passed a bill, entitled, an act to change the time of holding certain circuit courts, and for other purposes.

The said bill was then amended, by way of engrossed ryder.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Guthrie from the committee of Courts of Justice, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the administrators of G. C. Goodridge, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Guthrie, from the same committee to whom was referred bills from the House of Representatives of the following titles, viz:

An act for the benefit of William Morris, sheriff of Clay county.

An act for the benefit of Matthew Robertson.

An act to amend the 14th section of an act, entitled, an act to amend and reduce into one the execution laws of this State, approved 12th February, 1828.

Reported the same with amendments to each.

Which were twice read and concurred in.

Ordered, That the said bills be read a third time as amended.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills, as amended, do pass, and that the titles thereof be as aforesaid.

Mr. Daviess, from the committee of Propositions and Grievances, to whom was referred a bill authorizing the county court of Rockcastle county, to sell a part of the public ground, in the town of Mt. Vernon, reported the same with an amendment.

Which was twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act to protect the actual and *bona fide* settlers on Islands in the Mississippi river.

And an act authorizing the sale of certain land belonging to the infant heirs of Samuel Bradley, deceased.

Mr. Hanson, from the committee of Finance, to whom was referred the petition of William Mason, reported the following resolution thereon, viz:

Resolved, That the said petition be rejected.
Which was twice read and concurred in.

On the motion of Mr. Hanson, the committee of Finance was discharged from the further consideration of a bill to provide for the payment of subscriptions and appropriations to works of Internal Improvement in certain cases; and the said bill was referred to the committee of Internal Improvements.

Mr. Hanson, from the committee of Finance, to whom was referred, a bill from the House of Representatives, entitled, an act for the relief of James Branham, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass and that the title thereof be as aforesaid.

Mr. Hanson, from the same committee to whom was referred a bill subjecting to county levy all slaves hired at the iron works in Caldwell and Livingston counties, in said counties, reported the same with an amendment.

Which was twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time.

The rule of Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed.

The question was taken on the passage thereof, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Carter and Parker, were as follows, viz:

YEAS—Messrs. Boyd, Bramlette, Bush, Hanson, Harreld, James, Lyon, McDonald, May, Miller, Parker, Sisk, Thornton, Watkins, Willis, A. Young and S. Young—17.

NAYS—MR. SPEAKER, Messrs. Carter, Daviess, Gilbert, Grider, Guthrie, Jessup, Lusk, McHenry, Morehead, Murrell, Smith, Southgate and Woolley—14.

Resolved, That the title of the said bill be amended to read, an act concerning the listing of slaves for taxation.

The Senate, according to the standing order of the day, resolved itself into a committee of the whole House on the State of the Commonwealth, Mr. Boyd in the chair; after some time spent in committee, the Speaker resumed the chair, when Mr. Boyd reported that the committee had, according to order, had under consideration a bill to fix the ratio and apportion the representation for the ensuing four years, and had made some progress therein, but not having time to go through the same, had directed him to ask leave to sit again; which leave was granted.

Three messages in writing were received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State.

And then the Senate adjourned.

FRIDAY, JANUARY 15, 1836.

1. Mr. McHenry presented the petition of sundry citizens of Russell county, praying for a law to pass allowing an additional justice of the peace to said county.

2. Mr. Willis presented the petition of sundry citizens of Green and Hart counties, praying for an appropriation of money to improve the road from Lexington to Nashville, over Elkhill.

3. Mr. Bramlette presented the documents in relation to the formation of a new county out the counties Cumberland and Wayne.

Which were severally received; the first was referred to the committee of Courts of Justice; the second, to a committee of Messrs. Willis, Morehead and Murrell; the third, to the committee of Propositions and Grievances.

Two of the messages in writing received from the Lieutenant and acting Governor, on yesterday, were taken up, and read as follows, viz:

Gentlemen of the Senate:

Since the adjournment of the last Legislature, the following officers have been commissioned until the end of your present session. I therefore, now nominate them for your advice and consent, to be commissioned for the offices respectively attached to their names, viz:

Thomas A. Marshall, to be Judge of the Court of Appeals of Kentucky, in place of John Chambers, resigned.

James Simpson, to be Judge of the 10th Judicial District, in place of R. French, resigned.

Martin D. McHenry, to be Attorney for the Commonwealth, in the 4th Judicial District, in place of M. Brown, resigned.

Wm. R. Grigsby, to be Attorney for the Commonwealth, in the 13th Judicial District, in place of G. Calhoun, resigned.

J. C. Wells, to be Sheriff of Montgomery county, in place of J. H. Wells, resigned.

A. Neighbors, to be Sheriff of Grayson county, in place of B. Carrico, deceased.

C. T. Dunavon, to be Sheriff of Warren county, in place of W. C. Payne, resigned.

Jesse Yantis, to be Sheriff of Garrard county, in place of M. V. Grant, moved from the county.

Reuben Graves, to be Notary Public of Boone county.

David Banks, to be Notary Public of Christian county.

Farmer Dewees, to be Notary Public of Fayette county.

E. L. Shackelford, to be Notary Public of Madison county.

C. M. Webb, to be Notary Public of Warren county.

W. W. Southgate, to be Mayor of the city of Covington.

John Joyes, to be Mayor of the city of Louisville.

J. B. Lindsey, to be Mayor of the town of Newport.

John Woods, to be Chairman of the Board of Trustees of the town of Frankfort.

J. T. MOREHEAD.

January 14, 1836.

Gentlemen of the Senate—

I nominate for your advice and consent, Henry McQuaid, to be Colonel of the 111th Regiment, in place of J. Blagg, deceased.

Samuel Campbell, to be Lieutenant Colonel of the 19th Regiment, in place of N. H. Schooler, resigned.

Jefferson Williams, to be Major of the same, in place of Samuel Campbell, if promoted.

John Bowling, to be Colonel of the 56th Regiment, in place of P. Lasley, resigned.

John Sword, to be Lieutenant Colonel of the same, in place of J. Bowling, if promoted.

Richard P. Robinson, to be Major of the same, in place of J. Sword, if promoted.

Francis Lemasters, to be Lieutenant Colonel of the 110th Regiment in place of W. Moore, refused to qualify.

Andrew Ritcher, to be Major of the same, in place of Thomas W. Cockran, resigned.

Jacob Morton, to be Colonel of the 115th Regiment, in place of Thomas F. Hazlerigg, moved away.

W. Henry, to be Lieutenant Colonel of the same, in place of J. S. Oakley, resigned.

Thomas Esterling, to be Major of the same, in place of Samuel Y. Dennis, resigned.

Shelton Renfro, to be Keeper of the Turnpike Gate on the Wilderness road, near Cumberland Ford.

JAMES T. MOREHEAD.

January 14, 1836.

Resolved, That the Senate advise and consent to the said appointments.

Ordered, That Mr. Thornton inform the Lieutenant and acting Governor thereof.

A message in writing received from the Lieutenant and acting Governor on yesterday, was taken up, and read as follows, viz:

Gentlemen of the Senate—

I communicate herewith, reports from the present and former President of the Lexington and Ohio Rail Company.

J. T. MOREHEAD.

January 13, 1836.

LEXINGTON, Jan. 1, 1836.

James T. Morehead, Esq. Governor of Kentucky,

SIR:—In your message to the General Assembly, at the opening of their session, I observe that you say you have not had any report of the progress of the Lexington and Ohio Rail Road Company.

Although I am not now the official organ of that company, I will endeavor to afford you the requisite information.

At the opening of the session of last year, the main stem of the road was extended to the top of the hill near Frankfort, but it was not finished, although the cars passed on it. When a single track is made, there requires much to be done, to fit it for operative use. Since then the company have done much to finish the work, and it may now be said to be finished thus far.

During the current year they have extended the road down the inclined plane and along Broadway at Frankfort, to the market house. The main stem of the road has been finished for use, by several double tracks and turn-outs. Warehouses have been erected at Lexington and Frankfort, of a capacity to meet all the business of transportation and storage. A manufactory of machinery has been established at Lexington, where is made and repaired all kinds of cars and coaches, suitable for the road, and an ample stock of materials is provided, consisting of wood, iron and steel.

Surveys of exploration have been made from the Kentucky river to Louisville, reviewing the former ones and exploring new routes, in the hope of improvement. The valley of Benson has been explored, and a way by Shelbyville, but found to be very broken and expensive, and attempts have been made to secure the right of way, which has not been entirely successful, but it is believed the right can be secured of what remains on such terms as will justify the making of the road to Louisville, and the Board has resolved to progress with the work next spring, to begin at Louisville.

The difficulties which heretofore existed with the city of Louisville, have been overcome, and that city has subscribed for two thousand shares of the stock.

Of the bonds guaranteed by the State, the Board have sold \$108,000; the balance of \$42,000, has not yet been sold—the interest upon the bonds sold, has been regularly paid in New York.

Of the business on that part of the road in use, I am not able to give a detailed account. But the demonstrations made this year, justifies the anticipations of the company, that when the road is extended to the Ohio river, the advantages to the country will be very great, and will ensure to the enterprising stockholders a reasonable profit on the money expended.

One especial advantage to neighborhoods through which the road passes, is a uniform enhancement in the value of real estate. This has been found already along the road, as it has been in the other States of the Union, as also in Europe. When the inhabitants are made duly sensible of these certain advantages to them, one may reasonably expect, that the objections now made by them to the passage of the road through their lands, will give way, and instead of opposition, encouragement may be expected to enterprizes of the like kind.

Respectfully, your obedient servant,

F. L. TURNER.

To his Excellency, James T. Morehead.

SIR:—It is inferred from your Excellency's late annual message to the Legislature now in session, that a communication relative to the Lexington and Ohio Rail Road, would not be unacceptable to you. I therefore submit the following report, touching the present condition and prospects of that work.

During the past year, the attention of the Board of Directors has been mainly directed—1st. To a further exploration and location of the line between Frankfort and Louisville—2d. To the completion of the Inclined Plane at Frankfort—3d. To the repairing and improving the road between Lexington and the Inclined Plane—4th. To the conveyance of the passengers and freight on the part of the work already in a state for use, and to the organization of a system of transportation—5th. To providing the requisite machinery and means of transportation on a scale suited to the wants of the public.

1st. With respect to the first object, I am happy to say that the differences of opinion which long existed between the Board of Directors and the municipal authorities of Louisville, and which have procrastinated

the work, have been satisfactorily adjusted, and that a subscription to the stock of the company on the part of that city, for two thousand shares, has been made. But other necessary preliminary arrangements could not be made in time to let any part of the work the present season on the south side of the Kentucky river. It is however confidently hoped that we shall be prepared early in the spring to contract for the grading, and in the course of the present year be able to complete no inconsiderable portion of the work. With the cordial co-operation of the authorities and citizens of Louisville, deeply interested as they are in the enterprize, together with other aids which may be reasonably calculated upon, this company may now look forward to a speedy termination of their labors.

2d. The Inclined Plane descending the hill at Frankfort, from the peculiar character of the rock and earth through which the excavations have been made, has been found to be a work of more labor and expense than at first anticipated. Owing to unforeseen difficulties in the construction of this Plane, the extension of the road through the city of Frankfort, to the margin of the Kentucky river, could not be effected, much to the regret of the Board, in time to be used the present season. It was therefore thought best, under the circumstances, to erect a suitable temporary depot at the foot of the Plane in the city. By the use of this depot, and the Plane which has been finished, a most vexatious interruption to business and travel will be avoided in future.

3d. The repairing of the road the past year required much labor. Experience has proved that stone sills are more liable than wood to be damaged by the action of the machinery used in transportation—and that when out of order the repairing is more expensive and tedious. Some of the embankments required enlarging, and the defects of one of the principal viaducts have been remedied. Business was consequently suspended in part for several weeks, but the daily trips of the passenger cars were regularly performed.

4th. Facilities to a considerable extent from the moment of opening the road to Frankfort, have been given to the trade and travel of this section of the State; yet the difficulties to be surmounted in organizing an entirely new and novel system of transportation, were found to be of no small magnitude. It was impossible to foresee at the commencement, the full extent of the various wants of the community. In the absence of experience, it could not be reasonably expected that a perfect system, adapted to every interest, should spring at once into existence. Time was necessary to test the plans adopted. Much improvement has been made and will continue to be made, with the view to

render the work useful. But imperfect and unfinished as it is, I must be permitted to say, that great public accommodation has been afforded by it. The value and extent of that accommodation will be appreciated properly by those who enjoy the benefits of it at a season of the year when all unimproved highways are almost impassable. During the month of December, the number of passengers conveyed amounted to 1863, and the number of tons of freight to 272, exclusive of fuel and lumber. Our business enabled the Board of Directors in July last, to declare a dividend of 3½ per cent, and on the 7th instant a second semi-annual dividend of two per cent, reserving a surplus.

5th. For the purpose of supplying the machinery indispensable to the transportation on the road, a machine shop under the direction of Mr. Charles B. Lewis, a machinist of rare talents, has been established, and is now in operation. A full supply of freight and passenger cars, the workmanship of our own mechanics, will soon be at the disposal of the company; these with too additional Locomotive Engines, which have been ordered with a view to substitute steam for horse power, and are expected to arrive early in the spring, will enable the company to meet all demands for transportation, and to demonstrate more fully the superiority of this mode of Internal Improvement over all others.

I will not trouble your Excellency with further details of the business of a private corporation. Nor need I remind you that it has thus far been sustained and prosecuted almost exclusively by the public spirited citizens of a single interior town, although when completed, its benefits will be felt by the whole community. Already new impulses have been given by it to almost every branch of business; and with respect to other works of Internal Improvement recently commenced, it stands in the relation of a *first cause*. Why then should it not participate with those others works in the favour of the Legislature, and share with them the bounty of the State? While the work was deemed to be a visionary and impracticable project, the stockholders were content to rely upon their own resources to surmount prejudice, and opposition, and to prove its utility—looking forward to a season more auspicious to urge its claims to State patronage. The time has now arrived. One year's use of a portion of it, has demonstrated, that it will be productive of all the public good anticipated from it, and that the capital invested will give a good return of interest to the stockholders. In both respects the expectations of its original friends have been more than realized—for it was never imagined by them, that much profit could be derived from an interior division of a great work designed to subserve the general purposes of commerce in connexion with navigation to all

the ports of the world; nor that the local business of a neighbourhood would be productive of as much public good relatively, as that which would flow from the use of the whole line.

In addition to the means in hand or available in the course of the year, it is estimated that the sum of four hundred thousand dollars will be required to complete the work to Louisville. Inasmuch as the Legislature seems to have adopted the policy of aiding with its subscriptions, as joint co-partner, other chartered companies for the purposes of Internal Improvement, it is respectfully submitted whether any other work can present stronger claims to State patronage—whether the funds of the State can be more usefully or profitably invested than in the finishing of this road. In every point of view it is desirable that the connexion with the Ohio river at Louisville, as originally designed, should be accomplished speedily. With the aid of an adequate subscription on the part of the State, the work can be finished in the year 1837. Without such aid it is apprehended that a much longer period must elapse before the accomplishment of that object. The question therefore, is simply this,—whether the public interest would not be better promoted by a State subscription to hasten the completion of the Lexington and Ohio Rail Road, than by permitting it to linger along upon individual patronage, while other public works of no greater merit, to say the least, enjoy a monopoly of the State resources?

Another subject of some importance to the interest of the company, I beg leave to mention. The highest rate allowed by the charter to be charged for transporting freight is $3\frac{1}{2}$ mills per milè for a hundred pounds. It is obvious that so low a rate will not cover the expenses of the extra power necessarily required at the Inclined Plane—to say nothing of the extra cost of construction, and the extra expense to keep it in order. It will not, therefore, be thought unreasonable to ask the Legislature to authorize a small additional charge for transportation in this part of the line, and also an additional charge for transporting bulky articles of light weight. The charter authorizes special contracts for transporting specie and mails. An extension of that privilege, so as to include furniture, feathers, wool, rags, and such like articles, will surely be considered just.

Relying upon the good will of your Excellency in behalf of those who are engaged in the most laudable efforts to advance the power and wealth

of the State, and your willingness to present the claims of our work to the consideration of the Legislature,

I have the honor to be,

very respectfully, your obedient servant,

THO. SMITH, *Pres't. Lex. & O. R. R. Co.*

January 12, 1836.

The said reports were referred to the committee of Internal Improvements.

On the motion of Mr. S. Young, the committee of Religion was discharged from the further consideration of a bill from the House of Representatives, entitled, an act for the benefit of Rebecca Dye; and the said bill was referred to the committee of Courts of Justice.

Mr. Murrell, from the committee of Privileges and Elections, made the following report, viz:

The committee of Privileges and Elections have, according to order, had under consideration the returns from the several senatorial districts, and report the following gentlemen elected, viz: from the counties of Calloway, Hickman, Graves and McCracken, Thomas James; from the counties of Livingston, Caldwell and Trigg, Matthew Lyon; from the counties of Christian and Todd, Samuel B. Jessup; from the counties of Logan and Simpson, Presley Morehead; from the counties of Henderson, Union and Hopkins, Andrew Sisk; from the counties of Warren and Allen, Henry Grider; from the counties of Barren and Edmonson, Ezekiah P. Murrell; from the counties of Green and Hart, William T. Willis; from the counties of Cumberland and Monroe, Ambrose S. Bramlette; from the counties of Casey, Adair and Russell, Jesse Coffey; from the counties of Pulaski and Wayne, John McHenry; from the counties of Breckenridge, Hancock, Ohio and Daviess, Anselm Watkins; from the counties of Butler, Grayson and Muhlenburg, John Harreld; from the counties of Hardin and Meade, George Roberts; from the city of Louisville, and the counties of Jefferson and Bullitt, James Guthrie; from the counties of Oldham and Henry, Benjamin Allen; from the county of Shelby, William G. Boyd; from the counties of Nelson and Spencer, Stanley Young; from the counties of Washington and Marion, James McDonald; from the county of Mercer, Samuel Daviess; from the counties of Lincoln, Rockcastle and Laurel, William Smith; from the county of Garrard, Samuel Lusk; from the county of Madison, Robert Miller; from the counties of Knox, Clay, Harlan and Whitley, John Gilbert; from the counties of Gallatin, Boone and Grant, Philip S. Bush; from the counties of Campbell and Pendleton, Richard Southgate; from the counties of Nicho-

las and Bracken, Thomas Metcalfe; from the counties of Franklin, Owen and Anderson, Cyrus Wingate; from the counties of Harrison and Scott, Joseph Patterson; from the county of Bourbon, John R. Thornton; from the county of Fayette, Aaron K. Woolley; from the counties of Jessamine and Woodford, William B. Blackburn; from the counties of Montgomery and Bath, Aquilla Young; from the counties of Greenup, Lewis and Lawrence, William G. Carter; from the county of Fleming, Daniel Morgan; from the county of Mason, Winslow Parker; from the counties of Morgan, Floyd, Pike and Perry, Samuel May; and from the counties of Clarke and Estill, Samuel Hanson.

The committee find that the term of service of Thomas James, Andrew Sisk, Hezekiah P. Murrell, William T. Willis, Jesse Coffey, John McHenry, George Roberts, Samuel Lusk, Cyrus Wingate and Aquilla Young, will expire in the year 1836.

Matthew Lyon, Henry Grider, Ambrose S. Bramlette, Samuel Daviess, James McDonald, John Gilbert, Richard Southgate, John R. Thornton and Aaron K. Woolley, in the year 1837.

Presley Morehead, John Harreld, William G. Boyd, William Smith, Robert Miller, Philip S. Bush, Thomas Metcalfe, Joseph Patterson, William B. Blackburn and William G. Garter, in the year 1838.

Samuel B. Jessup, Anselm Watkins, James Guthrie, Benjamin Allen, Stanley Young, Daniel Morgan, Samuel May, Winslow Parker and Samuel Hanson, in the year 1839.

Mr. Parker, having obtained leave, reported a bill to incorporate the Maysville and Bracken turnpike road company,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Internal Improvements.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred a bill from the House of Representatives, entitled, an act appropriating the fines and forfeitures in Jefferson county, reported the same with an amendment,

Which was twice read and concurred in.

Ordered, That the said bill be read a third time as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill, having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Guthrie, from the same committee, to whom was referred a bill to amend the charter of the city of Maysville, reported the same, with the opinion of the committee that it ought not to pass.

The question being taken on engrossing the said bill and reading

it a third time, it was decided in the negative, and so the said bill was rejected.

Mr. Guthrie, from the same committee, to whom was referred a bill for the benefit of the heirs of Samuel Lovejoy, deceased, reported the same with an amendment,

Which was twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Wingate, from the committee of Religion, to whom was referred bills from the House of Representatives, entitled, an act to divorce James Baker; and

An act for the divorce of Elizabeth Hall.

Reported the same with the opinion of the committee that they ought not to pass.

The question being taken on reading the said bills a third time, it was decided in the negative, and so the said bills were disagreed to.

Mr. Wingate, from the same committee to whom was referred bills from the House of Representatives of the following titles, viz:

An act for the benefit of Penelope Jones.

And an act for the benefit of Beverly Stubblefield.

Reported the same with the opinion of the committee that they ought to pass.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wingate, from the same committee to whom was referred the petition of Nancy Fortner, praying a divorce from her husband, Emanuel Fortner, reported the following resolution thereon, viz:

Resolved, That the said petition be rejected.

Which was twice read and concurred in.

Mr. Wingate from the same committee to whom was referred the petition of Elizabeth Whitaker, praying a divorce from her husband, Mark Whitaker, reported the same with the following resolution, viz:

Resolved, That the said petition is reasonable.

Which was twice read and concurred in.

Ordered, That the said committee prepare and bring in a bill pursuant to said resolution.

Mr. Hanson, from the committee of Finance to whom was referred a bill for the benefit of John Woods, reported the same with the opinion of committee that it ought to pass.

Mr. Willis moved to lay the said bill on the table until the first of day of June next.

And the question being taken thereon, in was decided in the negative.

The yeas and nays being required thereon, by Messrs. Willis and Parker, were as follows, viz:

YEAS—Messrs. Daviess, Gilbert, James, Lusk, McHenry, May, Miller, Morehead, Murrell, Sisk, Smith, Southgate, and Willis—13.

NAYS—MR. SPEAKER, Messrs. Boyd, Bramlette, Bush, Carter, Grider, Guthrie, Hanson, Harreld, Jessup, Lyon, McDonald, Metcalfe, Morgan, Parker, Patterson, Roberts, Thornton, Watkins, Wingate, Woolley, A. Young and S. Young—23.

Ordered, That the said bill be engrossed and read a third time to-morrow.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act giving to the Livingston circuit court an additional week to its terms.

An act for the benefit of William C. Connett.

An act for the divorce of Pamela M. Parker.

And an act for the benefit of Sarah More.

And that they had passed a bill from the Senate, entitled, an act for the relief of Margaret Haydon.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Willis—1. A bill making further appropriations to turnpike the road from the Rolling Fork of Salt river, to Henry Sanders', and to construct a bridge across said stream.

On the motion of Mr. Wingate—2. A bill to incorporate a company to construct a turnpike road from Versailles by Christopher's landing, to intersect the road from Harrodsburg to Frankfort, in a direction to Louisville.

On the motion of Mr. Roberts—3. A bill concerning the town of Elizabeth, in the county of Hardin.

On the motion of Mr. Southgate—4. A bill to incorporate the Kentucky Silk Culture and Manufacturing company.

On the motion of Mr. Willis—5. A bill to amend the several acts of assembly, relating to, and incorporating a company to construct a turnpike road from the city of Louisville, by the way of the mouth of Salt river, &c. to Nashville.

And on the motion of Mr. McDonald—6. A bill to construct a bridge across Chaplin's Fork at Hobbs' mill.

Messrs. Willis, S. Young and Grider, were appointed a commit-

tee to prepare and bring in the first; Messrs. Wingate, Daviess and Boyd, the second; Messrs. Roberts, Guthrie and Woolley, the third; Messrs. Southgate, Thornton and Grider, the fourth; Messrs. Willis, Guthrie and Grider, the fifth, and Messrs. McDonald, Guthrie and S. Young, the sixth.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Guthrie, from the committee of Courts of Justice—1. A bill to amend an act approved December 8th, 1831, entitled, an act to incorporate the city of Lexington.

2. A bill to establish the college of Physicians of the city of Lexington.

By Mr. Roberts—3. A bill establishing an additional election precinct in the county of Hardin, and for other purposes.

By Mr. Willis—4. A bill to incorporate a company to construct a turnpike road from Elizabethtown to Greensburg, by the way of Hodgenville and Summersville.

And by Mr. Roberts—5. A bill concerning the town of Elizabeth in the county of Hardin.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the first, second, fourth and fifth bills having been dispensed with, the first, second and fifth, were referred to the committee of Courts of Justice, and the fourth was referred to the committee of Internal Improvements.

The rule of the Senate, constitutional provision, and second and third readings of the third bill, having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to the standing order of the day, resolved itself into a committee of the whole House on the State of the Commonwealth, Mr. Boyd in the chair; after some time spent in committee, the Speaker resumed the chair, when Mr. Boyd reported that the committee had, according to order, had under consideration a bill to fix the ratio and apportion the representation for the ensuing four years, and had gone through the same, and directed him to report it to the Senate without amendment.

And then the Senate adjourned.

SATURDAY, JANUARY 16, 1836.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act concerning the Hartford Bridge Company.

An act to amend the charter of the Louisville turnpike company.

An act for the benefit of Elizabeth Fowler.

An act for the benefit of the jailer of Jessamine county.

An act for the benefit of William Elliott and H. Henry.

An act for the benefit of Sarah Ann and Henry Stemmons.

An act authorizing the jailer to serve process in certain cases.

An act to amend the several acts to suppress the practice of duelling in this Commonwealth.

An act to construct a turnpike road from Taylorsville, by way of Jeffersontown to Louisville.

An act for the benefit of John and Peggy Garvin, and their children, and of James Coleman's representatives.

An act declaring Collins' Fork of Goose creek in Clay and Knox counties, a navigable stream.

An act supplementary to an act, entitled, an act to incorporate the Richmond and Lexington turnpike road company.

An act to incorporate the Bloomfield and Fairfield turnpike road company.

An act to establish a State road from Morganfield in Union county, to Smithland in Livingston county.

And that they had concurred in the amendments proposed by the Senate, to bills from that House, of the following titles, viz:

An act to authorize the county court of Logan, to appoint an additional constable.

And an act appropriating the fines and forfeitures in Jefferson county.

And that they had passed a bill from the Senate, entitled, an act to incorporate a company to turnpike a road from Greensburg, by way of Columbia, Jamestown and Monticello, to the Tennessee State line, in a direction to Knoxville.

And an act to amend the charter of the Springfield and Bardstown turnpike road company, with an amendment to the former bill.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred a bill to authorize the county court of Hopkins, to levy a tax on the real and personal estate of said county, reported the same with the opinion of the committee, that it ought not to pass.

The question being taken on engrossing the said bill and reading

it a third time, it was decided in the negative, and so the said bill was rejected.

On the motion of Mr. Sisk, leave was given to withdraw the petition of the justices of the peace of Hopkins county, praying for the passage of said bill.

Mr. Guthrie, from the committee of Courts of Justice, reported the following bills, viz:

1. A bill for the benefit of Yelverton B. Booker.
2. A bill to incorporate the Smithland General Insurance company.
3. A bill to incorporate the Louisville Dock Company.
4. A bill to establish and regulate the town of Hawesville, in the county of Hancock; and
5. A bill for the benefit of the administrator and heirs of Joseph Haydock.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the first, third, fourth and fifth bills, having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred a bill to incorporate the Western Navigation Company,

Reported the same with an amendment.

Which was twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Guthrie, from the same committee to whom was referred a bill to amend an act, approved December 8, 1831, entitled, an act to incorporate the city of Lexington,

Reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time on Monday next, and that the public printer print one hundred and fifty copies thereof for the use of the General Assembly.

Mr. Miller, from the committee of Religion, reported a bill for the divorce of Elizabeth Whitaker,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and

third readings of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill to improve the State road from Mount-sterling, to the Virginia State line, by way of Prestonsburg and Pikeville,

Reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time on Monday next.

Mr. Morehead from the joint committee appointed to examine the Public Arms, made the following report, viz:

The joint committee appointed by the Senate and House of Representatives, to examine the Arsenal and the condition of the Public Arms, and to report thereon, have performed that duty, and beg leave to report:

That upon examination, they have found a large number of muskets, bayonets, cartridge boxes, rifles, swords, sabres and pistols, in the Arsenal, in very bad order, many of the muskets, rifles and pistols being without locks and ramrods, and in a condition to render them entirely unfit for service. The number of these, as nearly as your committee can ascertain, is as follows, to-wit:

1000 muskets and accoutrements,
150 rifles,
80 sets of cavalry accoutrements.

1230 stand in bad order, and unfit for service.

Besides which, there is 3510 stand of arms fit for service, to-wit:

3000 muskets and accoutrements,
260 rifles,
250 set of cavalry arms and accoutrements.

3510

Your committee further state, that the Quarter-Master General has reported to them, that the following arms are in the hands of the militia in different parts of the State, to-wit:

3927 muskets and accoutrements, at the govern-		
ment price,	\$ 15 50	\$60,868 50
517 rifles, do.	18 50	9,564 50
670 cavalry arms and accoutrements, do.	28 35	18,994 50
4 6 pound cannons, do.	400 00	1,600 00
		<hr/>
		\$91,027 50

The Arsenal erected under the act of the Legislature, of the day of 183 , is in good order, and the arms are safely deposited therein; and an individual is now at work in the Arsenal, engaged in repairing and putting the defective arms in order, and progressing, to every appearance, usefully to the Institution and the State. He has succeeded in putting many of the arms in excellent order, and has his machinery apparently well arranged for the completion of that object. He is, however, but temporarily employed, there being no law authorizing an expenditure for that purpose: but from the obvious necessity of such a work, His Excellency, the Governor, engaged him to proceed with the undertaking, under the belief that the Legislature would ratify what might be done, and employ the same individual to complete the whole work; with which view of the subject, your committee concur, and would recommend the adoption of the bill herewith reported.

Your committee are of opinion that a more competent person than Mr. Percy, (the individual alluded to,) could not be found in the State to perform that duty.

Your committee would suggest the propriety of directing the attention of the Quarter-Master General, specially to the arms and accoutrements in the hands of the militia, recommending the strict enforcement of the law on that subject, as many of those arms, your committee have reason to believe, are in wretched condition.

All of which, your committee respectfully submit, &c.

P. MOREHEAD, *Chairman*.
JNO. ROOTES THORNTON,
THOMAS METCALFE.

On the part of the Senate.

The said bill in relation to the Public Arms, was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Courts of Justice.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Metcalfe, from the committee of Internal Improvements—1. A bill to incorporate the Elizaville and Mayslick turnpike road company.

By My. Southgate—2. A bill to incorporate the Kentucky Silk Culture and Manufacturing Company.

By Mr. Willis—3. A bill to amend the several acts of Assembly relating to, and incorporating a company to turnpike a road from Louisville to Nashville.

By Mr. McHenry—4. A bill to change the law in relation to divorces.

By Mr. McDonald—5. A bill to construct a bridge across Chaplin's Fork at Hobbs' mill.

By Mr. Boyd—6. A bill to incorporate a company to turnpike a road from Shelbyville, in Shelby county, to Taylorsville, in Spencer county.

And by Mr. Gilbert—7. A bill for the benefit of the widow and heirs of Samuel Woods, deceased.

The said bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the second, fourth, fifth, sixth and seventh bills, having been dispensed with, the second, fifth and sixth, were referred to the committee of Internal Improvements; and the fourth and seventh, to the committee of Courts of Justice.

The rule of the Senate, constitutional provision, and second and third readings of the third bill, having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Miller having obtained leave, reported a bill to change the regulation of the Madison Gate on the Wilderness road.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Internal Improvements.

On the motion of Mr. Willis, the votes by which a bill entitled, an act to incorporate the Franklin Bridge Company, was passed, and ordered to be engrossed and read a third time, were reconsidered.

The said bill was then amended, and ordered to be engrossed and read a third time.

The rule of Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A bill from the House of Representatives, entitled, an act for the benefit of the holders of Headright Certificates, was taken up, and referred to a committee of Messrs. McHenry, Grider and Smith.

Leave was given to bring in the following bills, viz:

On the motion of Mr. McHenry—1. A bill for the benefit of James Cowan and Samuel Cowan.

And on the motion of Mr. Hanson—2. A bill to establish two additional election precincts in the counties of Estill and Perry.

Messrs. McHenry, Guthrie and Willis, were appointed a committee to prepare and bring in the first bill, and Messrs. Hanson, May and Harreld, the second.

Bills from the House of Representatives of the following titles, viz:

1. An act for the benefit of Elizabeth Fowler.
2. An act for the benefit of William Elliott and H. Henry.
3. An act to incorporate the Bloomfield and Fairfield turnpike road company.
4. An act to protect the actual and *bona fide* settlers on Islands in the Mississippi river; and
5. An act for the benefit of Thomas J. Kirtley.

Were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills, having been dispensed with, the first, second and fourth, were referred to the committee of Courts of Justice; the third, was referred to the committee of Internal Improvements, and the fifth, to the committee of Religion.

On the motion of Mr. James, the committee of Finance was discharged from the further consideration of the petition in relation to the Islands in the Mississippi river, and it was referred to the committee of Courts of Justice.

And then the Senate adjourned.

MONDAY, JANUARY 18, 1836.

Mr. Murrell, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

- An act for the relief of Margaret Haydon,
- An act to establish an election precinct in Bullitt county; and
- An act for the benefit of Leander P. Hammer, and Rebecca D. Hammer.

And had found the same truly enrolled, and that the said bills had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

Mr. Parker presented the petition of sundry citizens of the city of Maysville, praying that the charter of the said city may be amended.

And Mr. Bramlette presented the petition of sundry citizens of the counties of Lincoln and Mercer, praying for the formation of a new county out of a part of said counties.

Which were received and referred, the former to the committee of Courts of Justice, and the latter to the committee of Propositions and Grievances.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred bills from the House of Representatives of the following titles, viz:

An act for the benefit of Elizabeth Fowler.

And an act for the benefit of William Elliott and H. Henry, Reported the same without amendment.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred the following bills, viz:

A bill to regulate the commencement of the Boone and Grant circuit courts; and

A bill concerning the town of Elizabeth in Hardin county,

Reported the same without amendment.

Ordered, That the said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate, to bills from the House of Representatives of the following titles, viz:

An act for the benefit of Matthew Robertson.

And an act to amend the 14th section of an act, entitled, an act to amend and reduce into one the execution laws of this State, approved 12th February, 1828.

An act for the benefit of William Morris, sheriff of Clay county.

An act for changing the time of holding the Graves county court.

An act for the benefit of Henrietta White.

An act for the benefit of the jailer of Warren county, and for other purposes.

An act to allow an additional justice of the peace to Lincoln county.

An act to allow an additional justice of the peace to the county of Lawrence.

With amendments to the amendments proposed to the two last bills.

And that they had passed bills from the Senate, of the following titles, viz:

An act to enlarge the constable's district for the town of Monticello.

An act to change the place of voting in Sugartree run precinct in Breckenridge county.

An act providing for the service of process when the sheriff and coroner of the county are parties to the same suit.

An act for the benefit Alfred Owens and Calloway Mullens.

An act to establish election precincts in Hart and Nelson counties.

An act to legalize the proceedings of the Logan county court at their March term 1835.

An act for the benefit of James Riddlesbarger's heirs and representatives; and

And an act to apply the fines and forfeitures of Mason county to lessening the county levy, with an amendment to the latter bill.

That they had passed bills which originated in that House, of the following titles, viz:

An act to incorporate the Mountsterling and Maysville turnpike road company; and

An act for the benefit of the heirs of H. G. Wintersmith, deceased.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the Bloomfield and Fairfield turnpike road company,

Reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Metcalfe, from the same committee to whom was referred bills of the following titles, viz:

1. A bill to incorporate the Maysville and Bracken turnpike road company.

2. A bill to incorporate the Kentucky Silk Culture and Manufacturing company.

3. A bill to incorporate a company to turnpike a road from Shelbyville, Shelby county, to Taylorsville, Spencer county; and

4. A bill to change the regulation of the Madison Gate, on the Wilderness road.

Reported the same without amendment.

The fourth bill, was recommitted to a committee of Messrs. Smith, Miller and Gilbert.

Ordered, That the first, second and third bills, be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the first second and third bills, having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

On the motion of Mr. Hanson, the report of the President of the (old) Bank of Kentucky, was referred to the committee of Finance.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Bush—A bill for the benefit of Philip Graves, of Boone county.

And on the motion of Mr Gilbert—A bill for the benefit of William Green, of Harlan county.

Messrs. Bush, Willis and McDonald, were appointed a committee to prepare and bring in the former, and Messrs. Gilbert, Miller and Wingate, the latter bill.

On the motion of Mr. McHenry,

Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency and propriety of authorizing as many assistant engineers as may, in their opinion, be necessary to survey and superintend the works of Internal Improvements in this Commonwealth.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Guthrie, from committee of Courts of Justice—1. A bill for the benefit of the heirs of Willis Morgan.

By Mr. McHenry—2. A bill for the benefit of James Cowan and Samuel Cowan.

And by Mr. Willis—3. A bill to appoint commissioners to make certain improvements in the navigation of Green river.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the second bill, having been dispensed with, it was referred to the committee of Courts of Justice.

The rule of the Senate, constitutional provision, and second and

third readings of the first and third bills, having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

The Senate resumed the consideration of a bill to fix the ratio and apportion the representation for the ensuing four years.

The said bill is as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the ratio for the ensuing four years shall be one thousand and seventeen voters for each representative, and the representation for that period shall be, and the same in hereby apportioned among the several counties in this Commonwealth, for the House of Representatives, in the following manner, to-wit:

The county of Adair shall be entitled to one representative; Allen, one; Anderson, one; Barren, two; Bath, one; Boone, one; Bourbon, two; Bracken, one; Breckenridge and Hancock, one; Bullitt, one; Butler and Edmonson, one; Caldwell, one; Calloway, one; Casey, one; Clarke, two; Clay and Perry, one; Christian, two; Cumberland, one; Campbell, two; Daviess, one; Estill, one; Fayette, three; Fleming, two; Floyd and Pike, one; Franklin, one; Gallatin, one; Garrard, two; Grayson, one; Graves and McCracken, one; Grant, one; Green, two; Greenup, one; Hardin, two; Harrison, two; Hart, one; Hickman, one; Henderson, one; Henry, two; Hopkins, one; Jefferson, two; Jessamine, one; Knox and Harlan, one; Lawrence and Morgan, one; Lewis, one; Lincoln, one; Livingston, one; City of Louisville, two; Logan, two; Madison, two; Marion, one; Mason, two; Meade, one; Mercer, two; Monroe, one; Montgomery, one; Muhlenburg, one; Nelson, two; Nicholas, one; Ohio, one; Oldham, one; Owen, one; Pendleton, one; Pulaski, one; Rockcastle and Laurel, one; Russell, one; Scott, two; Shelby, two; Simpson, one; Spencer one; Todd, one; Trigg, one; Union, one; Warren, two; Washington, one; Wayne, one; Whitley, one; Woodford, one.

SEC. 2. And for the purpose of apportioning the representation in the Senate, this State is hereby laid off into thirty-eight Senatorial Districts, as follows:

The counties of Hickman, Graves and McCracken, shall compose the first Senatorial District; Caldwell, Livingston and Union, the second; Calloway and Trigg, the third; Christian and Todd, the fourth; Logan and Simpson, the fifth; Hopkins, Henderson and Daviess, the sixth; Warren and Allen, the seventh; Barren, the eighth; Green and Hart, the ninth; Cumberland and Monroe, the tenth; Adair, Casey and Russell, the eleventh; Pulaski and Wayne, the twelfth; Breckinridge, Ohio and Hancock, the thirteenth; Butler, Grayson, Muhlenburg and Edmonson, the fourteenth; Hardin and Meade, the fifteenth; the City of Louisville,

the sixteenth; Henry and Oldham, the seventeenth; Shelby, the eighteenth; Nelson and Spencer, the nineteenth; Washington and Marion, the twentieth; Mercer, the twenty-first; Jefferson and Bullitt, the twenty-second; Garrard and Lincoln, the twenty-third; Madison and Rockcastle, the twenty-fourth; Knox, Clay, Harlan, Whitley and Laurel, the twenty-fifth; Gallatin, Boone and Grant, the twenty-sixth; Campbell and Pendleton, the twenty-seventh; Franklin, Owen and Anderson, the twenty-eighth; Harrison and Scott, the twenty-ninth; Bourbon and Nicholas, the thirtieth; Fayette, and the City of Lexington, the thirty-first; Woodford and Jessamine, the thirty-second; Montgomery and Bath, the thirty-third; Greenup, Lewis and Lawrence, the thirty-fourth; Fleming, the thirty-fifth; Mason and Bracken, the thirty-sixth; Morgan, Floyd, Pike and Perry, the thirty-seventh; and Clarke and Estill shall compose the thirty-eighth Senatorial Districts.

SEC. 3. In order to ascertain the polls where two or more counties compose a Senatorial District, to elect a Representative, the sheriffs of such counties shall meet at the courthouse first named in such district either in choosing a Senator or Representative, to compare the polls, on the first Monday after the commencement of the election, and after having ascertained by faithful comparison and addition the amount of their respective polls, and shall make return of the person elected in the manner prescribed by law: *Provided, however,* That when a writ of election may be issued by either branch of the Legislature, or by the Governor, an earlier day may be ordered in such writ for comparing the polls if it should be deemed expedient.

SEC. 4. If any new county shall be established before the next enumeration and apportionment of representation, it shall be considered as a part or parts of the county or counties from which it was taken for the purpose of representation.

SEC. 5. That whenever it shall so happen, by death or otherwise, that there is no sheriff to attend the several elections, that it shall be lawful for the judges appointed to conduct said election to appoint a proper person to superintend said elections, and be governed by the same rules and regulations that sheriffs now are by law.

Mr. Willis moved to amend the said bill, by striking out the words "*and Hancock*" in the first section, printed in italics.

And the question being taken thereon, in was decided in the negative.

The yeas and nays being required thereon by Messrs. Willis and McHenry, were as follows, viz:

YEAS—Messrs. Bramlette, Daviess, Gilbert, Guthrie, James, Lyon, McDonald, McHenry, May, Patterson, Sisk, Smith, Southgate, Willis, Wingate and A. Young—16.

NAYS—MR. SPEAKER, Messrs. Boyd, Bush, Carter, Grider, Hanson, Harreld, Jessup, Metcalfe, Miller, Morehead, Morgan, Murrell, Parker, Thornton, Watkins, Woolley and S. Young—18.

Mr. Harreld moved to amend the first section of the said bill, by striking out one member from Warren and giving one member to Edmonson, so that Warren, Butler and Edmonson, shall each have one member.

Mr. Daviess called for a division of the question.

And the question being taken on striking out one member from Warren, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hanson and Harreld, were as follows, viz:

YEAS—Messrs. Bramlette, Bush, Daviess, Gilbert, Guthrie, Harreld, James, Lyon, McDonald, McHenry, May, Metcalfe, Patterson, Roberts, Sisk, Smith, Thornton, and Willis—18.

NAYS—MR. SPEAKER, Messrs. Boyd, Carter, Grider, Hanson, Jessup, Miller, Morehead, Morgan, Murrell, Parker, Southgate, Watkins, Wingate, Woolley and A. Young—16.

The questions was then taken on giving one member to Edmonson, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Murrell and Watkins, were as follows, viz:

YEAS—Messrs. Bush, Guthrie, Harreld, Murrell and Roberts—5.

NAYS—MR. SPEAKER, Messrs. Boyd, Bramlette, Carter, Daviess, Gilbert, Grider, Hanson, James, Jessup, Lyon, McDonald, McHenry, May, Metcalfe, Miller, Morehead, Morgan, Parker, Patterson, Sisk, Smith, Southgate, Thornton, Watkins, Willis, Wingate, Woolley, A. Young and S. Young—30.

Mr. Thornton moved to reconsider the two last votes.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Willis and Grider, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Grider, Hanson, Harreld, Jessup, Metcalfe, Miller, Morehead, Morgan, Murrell, Parker, Roberts, Southgate, Thornton, Watkins, Woolley and S. Young—18.

NAYS—Messrs. Bramlette, Bush, Carter, Daviess, Gilbert, Guthrie, James, Lyon, McDonald, McHenry, May, Patterson, Sisk, Smith, Willis, Wingate and A. Young—17.

The question was again taken on striking out one member from Warren, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. James and Grider, were as follows, viz:

YEAS—Messrs. Bramlette, Bush, Daviess, Gilbert, Guthrie, James, Lyon, McDonald, McHenry, May, Patterson, Sisk, Smith and Willis—14.

NAYS—MR. SPEAKER, Messrs. Boyd, Carter, Grider, Hanson, Harreld, Jessup, Metcalfe, Miller, Morehead, Morgan, Murrell, Parker, Southgate, Thornton, Watkins, Wingate, Woolley, A. Young and S. Young—20.

The question was then taken on giving one member to Edmonson, and it was decided in the negative.

Mr. May moved to amend the first section of the bill, by striking out one member from Clarke, and giving one member to Morgan, so that Clarke, Morgan and Lawrence, shall each have one member.

Mr. Harreld called for a division of the question.

And the question being taken on striking out one member from Clarke, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and May, were as follows, viz:

YEAS—Messrs. Bramlette, Carter, Daviess, Gilbert, Guthrie, James, Lyon, McDonald, McHenry, May, Metcalfe, Patterson, Sisk, Smith, Thornton, Willis and A. Young—17.

NAYS—MR. SPEAKER, Messrs. Boyd, Bush, Grider, Hanson, Harreld, Jessup, Miller, Morehead, Morgan, Murrell, Parker, Roberts, Southgate, Watkins, Wingate, Woolley and S. Young—18.

And then the Senate adjourned.

TUESDAY, JANUARY 19, 1836.

Mr. Watkins presented the petition of sundry citizens of Breckenridge county praying for the formation of an election precinct in said county.

Which was received, and referred to the committee of Propositions and Grievances.

Mr. Guthrie, from the committee of Courts of Justice, reported the following bills, viz:

1. A bill for the benefit of Thomas C. Davis.
2. A bill for the benefit the heirs of Benjamin Mills, deceased; and
3. A bill for the benefit of the county of Jefferson, and city of Louisville.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the first bill, having been dispensed with, it was referred to the committee of Courts of Justice.

The rule of the Senate, constitutional provision, and second and third readings of the second and third bills, having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Grider, from the committee of Internal Improvements, to whom was referred the following bills, viz:

A bill to incorporate the Bowlinggreen and Double Spring turnpike road company; and

A bill to incorporate the Bowlinggreen Portage Railway company,

Reported the same with amendments to each,

Which were twice read and concurred in.

Ordered, That the said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. McHenry, from the committee to whom was referred a bill from the House of Representatives, entitled, act for benefit of the holders of Headright Certificates,

Reported the same with an amendment.

Which was twice read and concurred in.

Ordered, That the said bill be read a third time as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill, having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Roberts—A bill to incorporate the Elizabethtown Library Company.

And on the motion of Mr. Parker—A bill to incorporate the Maysville and Mason county Manufacturing Company.

The committee of Education was directed to prepare and bring in the former; and Messrs. Parker, Metcalfe and Morgan, were appointed a committee to prepare and bring in the latter bill.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Wingate—1. A bill to incorporate a company to construct a turnpike road from Versailles, by Christopher's landing, to intersect the road from Harrodsburg to Frankfort, in a direction to Louisville.

By Mr. Bush—2. A bill for the benefit of Philip Graves, of Boone county.

And by Mr. Hanson—3. A bill to establish three election precincts in the counties of Estill and Perry.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the first and second bills, having been dispensed with, the first was referred to the committee of Internal Improvements; and the second, to the committee of Finance.

The rule of the Senate, constitutional provision, and second and third readings of the third bill, having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Bush presented the petition of sundry citizens of Boone county, praying that a compensation be made to Philip Graves, for having supported an idiot.

Which was received and referred to the committee of Finance.

An engrossed bill entitled, an act to amend an act approved December 8th, 1831, entitled, an act to incorporate the city of Lexington, was referred to the committee of Courts of Justice.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act for benefit of the administrator and heirs of James Seeders, deceased.

An act to incorporate the Dock Company at Covington.

An act to amend an act entitled, an act to improve the navigation of Nolin, approved 22d February, 1834.

An act to authorize the improvement of the hill at Mills' Point on the Mississippi river.

An act to establish an election precinct in Hickman county.

An act amend an act to incorporate the Louisville Marine and Fire Insurance Company.

An act for the benefit of Whitley Seminary of learning.

An act to establish the town of West Liberty, in Morgan county.

An act to change the time of holding the Laurel county court.

An act for the benefit of John Blue, late sheriff of Union county.

An act for the benefit of the sheriff of Grant county.

And an act to extend the powers of the trustees of the town of Winchester, and for other purposes.

And that they had adopted the resolutions from the Senate, in relation to the navigation of Cumberland river, and the extension of certain roads into the State of Tennessee.

The Senate, according to the standing order of the day, resolved itself into a committee of the whole house on the State of the

Commonwealth, Mr. Metcalfe in the chair. After some time spent in committee, the Speaker resumed the chair, when Mr. Metcalfe reported that the committee had, according to order, had under consideration a bill to provide for a secretary of public instruction, and for carrying into operation an act, entitled, an act to encourage the general diffusion of education in this Commonwealth, by the establishment of a uniform system of public schools, and had gone through the same, and made amendments thereto, which he handed in at the clerk's table.

The said bill and amendments were committed to the committee of Courts of Justice.

A bill from the House of Representatives, entitled, an act to incorporate the Mountsterling and Maysville turnpike road company,

Was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Internal Improvements.

A bill from the House of Representatives, entitled, an act giving to the Livingston circuit court, an additional week to its terms,

Was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

And then the Senate adjourned.

WEDNESDAY, JANUARY 20, 1836.

Mr. Murrell, from the joint committee of Enrolments, reported that the committee had examined an enrolled bill entitled,

An act for the benefit of Elizabeth Fowler.

And had found the same truly enrolled, that said bill had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

1. Mr. Thornton presented the petition of Eliza Vanderen, the widow and administratrix of Barnard Vanderen, deceased, and

guardian of his infant heirs, praying for the passage of a law authorizing a sale of a tract of land, and lot and tanyard, in Bourbon county, the property of the said Barnard.

2. Mr. Bush presented the petition of Moses Maxfield, his wife and two of their children, praying for the passage of law authorizing a sale of fifty acres of land in Boone county, which has been conveyed by the said Moses Maxfield to his wife and children, and that the proceeds of said land be laid out for more land in the State of Illinois.

3. Mr. Wingate presented the petition of William A. Shannon, guardian of the infant heirs of Samuel Shannon, deceased, and Mary Shannon, widow of said Samuel, praying for the passage of a law authorizing a sale of a small tract of land in Woodford county, which belonged to the said Samuel Shannon, deceased.

4. Mr. Wingate also presented the petition of Virginia Thomas, praying for a divorce from her husband, Nicholas T. Thomas.

Which petitions were severally received, the three first named were referred to the committee of Courts of Justice, and the fourth was referred to the committee of Religion.

Mr. Bush, from the committee of Enrolments, reported that the committee had examined an enrolled bill, entitled,

An act for the benefit of William Elliott and H. Henry.

And had found the same truly enrolled, that the said bill had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate, affixed his signature thereto, and it was delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Bush reported that the committee had performed that duty.

Mr. Daviess, from the committee of Propositions and Grievances, made the following report, viz:

The committee of Propositions and Grievances, to whom was referred the petition of sundry citizens of the counties of Cumberland and Wayne, praying for the formation a new county, out of a part of the aforesaid counties, have, according to order, had the same under consideration, and have come to the following resolution thereon.

Resolved, That the said petition is reasonable.

Mr. McHenry moved to amend the said resolution by striking out the words "*is reasonable*," and inserting in lieu thereof the words "*be rejected*."

The question being taken thereon, it was decided in the negative.

The said resolution was concurred in, and the committee of Propositions and Grievances was directed to prepare and bring in a bill pursuant thereto.

Mr. Wingate, from the committee of Religion, to whom was referred the petition of Sarah Crutcher, praying for a divorce from her husband James W. Crutcher, reported the following resolution thereon, viz:

Resolved, That the said petition *is reasonable*.

Which was twice read and concurred in.

Ordered, That the committee of Religion prepare and bring in a bill pursuant to said resolution.

Mr. Wingate, from the same committee to whom was referred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of William McCoy.

And an act for the benefit of Thomas J. Kirtley,

Reported the same with the opinion of the committee that the former bill ought to pass, and that the latter ought not to pass.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wingate, from the same committee to whom was referred bills from the House of Representatives of the following titles, viz:

An act for the benefit of James Smith.

An act for the benefit of Andrew Clark.

And an act for the benefit of Richard Peters,

Reported the same with the opinion of the committee that they ought not to pass.

The question being taken on reading the said bills a third time, it was decided in the negative, and so the said bills were disagreed to.

The following bills were reported, viz:

By Mr. Wingate, from the committee of Religion—A bill for the divorce of Zellica Clow.

And by Mr. Woolley, from the committee of Education—A bill to incorporate the Elizabethtown Circulating Library Company.

Which bills were each read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills, having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Willis, from the committee of Courts of Justice, to whom was referred an engrossed bill, entitled, an act to amend an act ap-

proved December 8th, 1831, entitled, an act to incorporate the city of Lexington,

Reported the same with amendments,
Which were twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time.
The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being re-engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the Mountsterling and Maysville, turnpike road company,

Reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the committee of Finance to whom was referred a bill for the benefit of Philip Graves, of Boone county,

Reported the same with the opinion of the committee that it ought to pass.

Ordered, That the said bill be engrossed and read a third time.

The rule of Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Parker, from the committee appointed for that purpose, reported a bill to incorporate the Maysville and Mason county, Manufacturing Company,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Internal Improvements.

On the motion of Mr. James, leave was given to bring in a bill to establish a Warehouse and inspection of tobacco, upon the lands of William E. Sublitt, at his Warehouse landing upon Little Obion, in the county of Hickman.

Messrs. James, Harreld and Carter, were appointed a committee to prepare and bring in the same.

On the motion of Mr. Willis, the consideration of a bill to fix the ratio and apportion the representation for the ensuing four

years, was postponed and made the order of the day for Wednesday next.

The amendment proposed by the House of Representatives to a bill from the Senate, entitled, an act to incorporate a company to turnpike a road from Greensburg, by way of Jamestown and Monticello, to the Tennessee State line, in a direction to Knoxville, was twice read.

Mr. Woolley moved to commit the said bill and amendment to the committee of Internal Improvements.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McHenry and Parker, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Lusk, McDonald, Miller, Morehead, Morgan, Parker, Patterson, Thornton, Wingate, Woolley and S. Young—12.

NAYS—Messrs. Boyd, Bramlette, Carter, Gilbert, Hanson, Harreld, James, Jessup, Lyon, McHenry, May, Metcalfe, Murrell, Roberts, Smith, Southgate, Watkins, Willis and A. Young—19.

The said amendment was then concurred in.

And then the Senate adjourned.

THURSDAY, JANUARY 21, 1836.

The Speaker laid before the Senate, the report of the Danville, Lancaster and Nicholasville turnpike road company, which is as follows, viz:

Lexington, January 8, 1836.

MR. WM. BLACKBURN:

Dear Sir: Having lately tendered my resignation of President to the Danville, Lancaster and Nicholasville turnpike road company, I have given, in the enclosed paper, the expenditures attending the period I presided on the work. The State being interested, I respectfully present the same to the House over which you preside. I am, &c. most respectfully, your ob't. serv't. &c.,

JOHN NORTON.

N. B. The present President, Geo. I. Brown, will probably communicate further lettings and expenditures.

STATEMENT of Amount paid, by drafts and per order of the Board, to the Danville, Lancaster and Nicholasville Turnpike road, to 16th December, 1835.

On JAMES G. McKINNEY, Treasurer at Lexington.

1834.

Oct. 18.	Samuel Fitch, expenses on survey, and order of the Board,	\$174 50
	Do. per salary,	375 00
Dec. 8.	Cole & Gebbey, on 6th section, 1st division,	300 00
	James Hackley, do. 5th	345 00
	John Meguire, do. 3d	150 00
	Monitor; printing,	1 50
16.	E. Perkins, 2d section,	225 00
17.	Michael Henry, 4th do.	460 00
	William Cole, 7th do.	450 00
	B. Gilroy, 8th do.	725 00

1835.

Jan. 15.	N. L. Finnell, printing,	4 25
	J. S. Williams, E. per order of the Board,	250 00
	Samuel Fitch, do. per do.	250 00
Feb. 18.	E. Perkins, 2d section,	400 00
	John Meguire, 3d do.	225 00
	M. Henry, 4th do.	200 00
	J. Hackley, 5th do.	205 00
	Cole & Gebbey, 6th do.	400 00
	William Cole, 7th do.	120 00
	B. Gilroy, 8th do.	225 00
	J. Rushforth, 9th do.	225 00
	Merrell and wife, damages,	95 00
	Bodley, fees,	6 00
	W. R. Morton, sheriff's fees,	10 84
	J. Clarke, & Co. printing sundries,	40 00
Mar. 12.	E. Perkins, 2d section,	92 00
16.	Cole & Gebbey, 6th do.	189 00
	W. Jenkins, land and 296 p. fencing,	29 60
21.	G. Berry, land and 220 p. do.	72 00
	E. Perkins, 2d section,	239 00
	W. G. Mason, Philadelphia seal,	5 00
April 10.	J. Rushforth, 9th section,	75 00
15.	A. T. Skillman, books, paper and printing stock,	20 00
18.	B. Gilroy, 8th section,	100 00
	W. Fristae, hauling rollers to Lexington,	6 50
	W. Long, 242 p. fencing,	20 00
	A. Moore, sealing stock, &c.	5 37
May 1.	E. Perkins, 2d section, 1st division,	1,000 00

	John Meguire,	3d section,	663 00
	Michael Henry,	4th do	470 00
	James Hackley,	5th do	625 00
	Cole & Gebbey,	6th do	885 00
	William Cole,	7th do	561 00
	B. Gilroy,	8th do	555 00
	J. Rushforth,	9th do	720 00
	2. S. Fitch, cash per contract,		600 00
	E. Perkins,	2d section,	200 00
	J. S. Williams, by the Board,		308 12
June 17.	C. & T. repairing, rolling, &c.		4 72
	20. E. Perkins,	2d section,	400 00
	23. John Meguire,	3d do	200 00
	Michael Henry,	4th do	300 00
	James Hackley,	5th do	300 00
	Cole & Gebbey,	6th do	300 00
	William Cole,	7th do	300 00
	B. Gilroy,	8th do	300 00
	J. Rushforth,	9th do	300 00
July, 6.	E. Perkins,	2d do	500 00
	21. Michael Henry,	4th do	612 00
	23. Joseph Rushforth,	9th do	500 00
	Cole & Gebbey,	6th do	300 00
	24. E. Perkins,	2d do	350 00
	28. do	do do	200 00
	A. T. Skillman, paper, &c.		5 00
	Witnessess \$1, postage		87

\$18,176 29

JAMES H. THOMPSON, Treasurer at Nicholasville.

1834.

Oct. 18.	T. J. Brown, acpt., expenses, &c.	\$ 31 75
Dec. 8.	Sandford & Grimes, 12th section, 1st division,	360 00
	Samuel Hitchman, 11th do	150 00
	Wickam & Burt, 10th do	285 00
15.	Sandford & Grimes, 13th do	340 00

1835.

Feb. 18.	Wickam & Burt, 10th do	250 00
	Samuel Hitchman, 11th do	400 00
	Sandford & Grimes, 12th do	250 00
	do 13th do	200 00
	William Cole, 14th do	200 00
	Joel Bryant, damages for land, per order	53 65
	Mrs. Paniston, do for do	200 00
	Mrs. Walls, do for do	190 00

April 2.	Samuel Hitchman,	11th section,	136 00
	Wickam & Burt,	10th do	140 00
	Sandford & Grimes,	12th do	88 00
	do	13th do	86 00
	William Cole,	14th do	100 00
May 1.	Wickam & Burt,	10th do	375 00
	Samuel Hitchman,	11th do	603 00
	Sandford & Grimes,	12th do	689 00
	do	13th do	654 00
	William Cole,	14th do	510 00
	do	15th do	200 00
June 23.	Wickam & Burt,	10th do	200 00
	Samuel Hitchman,	11th do	250 00
	Sandford & Grimes,	12th do	400 00
	William Cole,	14th do	400 00
July 6.	Samuel Hitchman,	11th do	350 00
	T. J. Brown, acpt. per order of the Board,		13 62
Sept.	Sandford & Grimes,	12th section,	880 00
	William Cole,	14th do	913 00
	do	15th do	520 00
	Samuel Fitch, advances, \$20, books \$3 50,		23 50
	Fee bills Knaves' suit \$4 20 and \$15 11 to be collected,		19 31
	Wickam & Burt, advances on 10th section,		140 00
			<hr/>
			\$10,505 83

WILLIAM H. MATHEWS, Treasurer at Nicholasville.

1835.

Nov. 13.	J. O'Brian, for raking road,	47 00
24.	William Cole, 14th section, 1st division,	200 00
Dec. 14.	do do do in full,	918 25
	Sandford & Grimes, 13th do in full,	1,075 48
		<hr/>
		\$2,240 73

T. GAINES, Treasurer at Danville.

1835.

May 1.	Samuel Stephens,	7th section, 4th division,	525 00
	do	do do	500 00
	do	7th & 8th,	712 00
July 12.	Runyan & Farquerson	6th section,	300 00
Sept. 7.	Samuel Stephens,	7th & 8th do	770 00
Nov. 7.	do	7th, 8th & 9th,	849 00
			<hr/>
			\$3,656 00

JAMES KENNAIRD, Treasurer at Lancaster.

1835.

May 1.	John Gill,	9th section of 5th division,	300 00
	E. G. Tillett,	6th do do do	315 00
June 26.	John Gill,	9th do do do	300 00
	E. G. Tillett,	6th do do do	200 00
July 12.	John Gill,	9th do do do	188 00
	E. G. Tillett,	6th do do do	186 00
Sept. 7.	M. Henry,	3d do do do	150 00
	John Henry,	4th do do do	300 00
	E. G. Tillett,	6th do do do	297 00
	do.	7th do do do	413 00
	J. Shoemaker & Co.	8th do do do	413 00
	John Gill,	9th do do do	483 00
Dec. 7.	M. Henry,	3d do do do	338 00
	John Henry,	4th do do do	338 00
	J. Shoemaker & Co.	5th do do do	161 00
	E. G. Tillett,	7th do do do	551 00
	J. Shoemaker & Co.	8th do do do	337 00
	John Gill,	9th do do do	561 00

\$5,831 00

COL. A. STEPHENS, Treasurer at Lexington.

1835.

Aug. 17.	B. Gilroy,	8th section, 1st division,	444 00
20.	J. Rushforth,	9th do do	891 00
24.	John Meguire,	3d do do	1,092 00
26.	S. Hitchman,	11th do do	1,302 00
29.	William Cole,	7th do do	1,129 00
	James Hackley,	6th do do	300 00
Aug. 30.	Wickam & Burt,	10th do do	200 00
31.	E. Perkins,	2d do do	200 00
Sept. 10.	J. Rushforth,	9th do do	200 00
11.	Cole & Gebbey,	6th do do	794 00
	Wickam & Burt,	10th do do	670 00
12.	James Hackley,	5th do do	574 00
	Sandford & Grimes,	12th do do	940 00
	S. Fitch, Esq.	" do do	275 00
	E. Perkins,	2d do do	200 00
30.	E. Ramsey, acpt. raking the road,		16 62
Oct. 15.	J. Rushforth,	9th section of 1st division,	300 00
26.	B. Gilroy,	8th do do	300 00
	Wickam & Burt,	10th do do	100 00

Nov. 2.	J. Rushforth,	9th do	do	500 00
	B. Gilroy,	8th do	do	500 00
7.	J. E. Cook, acpt. raking on road,			101 00
	J. Robb, tongue to roller,			2 00
	E. Perkins,	2d section,	T. M. blocking road,	10 00
9.	S. Hitchman,	11th do	do	300 00
	James Hackley,	5th do	do	87 37
10.	M. Henry,	4th do	do in full,	1,097 55
12.	W. & Burt,	10th do	do	200 00
16.	James Hackley,	5th do	do	200 00
	E. Perkins,	2d do	do	100 00
	Bank's premium $\frac{1}{4}$ per cent, collecting,			5 70
21.	B. Gilroy,	8th section in full,	bl'k. r'd.	337 54
23.	J. Meguire,	3d do do do	do	1,321 31
	J. Rushforth,	9th do do do	do	559 00
	J. Crowl, moving house at Mrs. Lowry's.			40 00
	Same 8 arms for gates, &c.			2 00
	Samuel Fitch, do by Ashton,			400 00
Dec. 1.	James Hackley,	5th section in full,	bl'k. r'd.	909 52
	Wickam & Burt,	10th do in full	do	697 50
	Sandford & Grimes,	12th do	do	700 00
2.	Cole & Gebbey,	6th do	do	200 00
3.	Spark & Simpson, making two gates, nails and hauling,			58 25
	Gate books, locks, certificate, stove and pipe, &c.			23 12
	T. K. Layton & Co. timber, &c.			36 15
8.	S. Hitchman,	11th section in full,		1,109 00
10.	Cole & Gebbey,	6th do do		1,248 95
12.	W. Wilgus, hauling rock, timber and stone G. house,			3 00
16.	J. Russell, building gate house,			32 00
	Layton & Headington, lumber, nails, &c.			60 18
				<hr/>
				\$20,777 78

CITY OF LEXINGTON, 1st. section, 1st division.

1835.

Oct. 1.	E. Perkins, cash on the same by the city,	1,333 33
Dec. 9.	Same, city notes, payable on the 5th Oct. 1836,	1,333 33
	Same, city notes, payable on the 5th Oct. 1837,	1,333 33

As per agreement for said section, \$1,000 00

Enumerating the above sumes, the amount paid out, is \$65,187 64 cents. Some small advances may be made in each county, embracing fee bills, &c., not reported. The distance from Main street, in the city of Lexington, to the south end of Nicholasville, is 12 miles 174 and three-tenth poles. The cost of this work, in-

cluding masonry and twelve mile posts, at ten dollars each, is \$53,931 23. On this part of the road, the company is receiving toll some time.

On procuring a seal from Philadelphia, the certificates of stock were made out, signed, sealed, recorded and presented by me, to the meeting in May last, for the charge of the Treasurers in each county, as follows, viz:

City of Lexington and Fayette county,	21,500 00
Jessamine county,	19,600 00
Mercer county,	18,500 00
Garrard county,	16,000 00

\$75,600 00

State of Kentucky,

30,000 00

\$105,600 00

The works in operation at Danville, 5 miles 47-8 poles, will cost,

\$20,719 00

In Garrard county, at Lancaster, 5 miles 177-8 poles will cost,

25,076 57

South of Nicholasville, 2 miles 88 poles,

12 130 00

Including masonry, with the exception of Jessamine creek bridge, taken by the perch, &c.,

\$57,925 57

The late subscriptions and lettings, &c. not enumerated. The work now in operation being entirely at a distance, and business requiring my absence from home, made the tender of my resignation to the company necessary.

I am, with regard, &c.

JOHN NORTON.

N. B. To the statement of Funds of the D. L. and N. T. P. Road.

The estimates in each county are now due. There is in the Treasurer's hands of this place, 7,000, and in warrants due for the State subscription, \$11,500.

The commissioners in Garrard county, for the charge of road, &c. made returns of no damages; Dr. Tillett, Arnold, Dunn and Gill, relinquished.

1. The Speaker presented the petition of sundry citizens, praying for the passage of a law providing for the destruction of crows.

2. Mr. Parker presented the petition of sundry citizens of Maysville, praying for the passage of a law amending the charter of said city.

3. Mr. Woolley presented the petition of Abraham Andrews,

and John W. Jones, and Nancy W. Jones his wife, praying for the passage of a law authorizing a sale of several slaves devised by Thomas Andrews, deceased, to said Abraham Andrews, in trust for the use and benefit of Nancy W. Jones, and her children, and that the proceeds be invested in lands in the State of Indiana or Illinois.

Which petitions were severally received, the first was referred to the committee of Propositions and Grievances, and the second and third, to the committee of Courts of Justice.

Mr. Grider presented the report of the committee appointed by the Governor, under the authority of a resolution of the General Assembly, approved February 28th, 1835, to visit locks Nos. 1 and 2, upon Green river, which is as follows, viz:

The joint committee of the Senate and House of Representatives, who were appointed by the Governor, under the authority of the resolution of the General Assembly, approved February 28, 1835, to visit locks No. 1 and 2, upon Green river, now in progress, with a view to the examination of the progress and character of the work, and to report their opinion as to the general utility and improvement of said river, by slack water navigation; and its usefulness and importance to that section of the state—report:

That upon the 9th day of December last a quorum, of the committee of the House of Representatives, and one member of the Senate, convened at the falls of Vienna, the location of lock No. 2, in order to the discharge of their duty, and to comply with the resolution under which they were appointed. It is matter of regret, that owing to the high stage of water in Green river at that time, the committee were unable to examine that portion of the work which has been done at either lock. The dam, which is now five feet high, and the lock of mason work constructed to the height of thirteen feet at lock No. 2, were submerged more than ten feet below the then surface of the water. The attention of the committee was, therefore, directed more particularly to the plan by which it is proposed to render the river navigable by slack water navigation, at all seasons of the year, and to the quantity and character of the materials upon the ground. As to the work which had been done, they relied upon the information given them by the engineer, and contractors engaged at lock No. 2. Upon their statements the committee are authorized to place full confidence, and therefore refer to the report which has been made to the Legislature at its present session, which will give, in detail, all the facts which are believed to be important upon this branch of the subject, and, therefore, are not here repeated. To the plan of the work, and its final, full, and complete success, with the necessary aid of the Government, the committee yield their unqualified approbation. And the original projectors of this work, in all

time to come, when the work shall be completed, and its usefulness felt by that interesting portion of the State, and by the whole State, (as it will be, in the opinion of the committee,) will be ranked by the friends of an enlightened state policy, among the public benefactors of our Commonwealth. A minute examination of the details of the plan adopted, and a full and satisfactory explanation given by the able Engineer, when practical information on this subject in the State of Pennsylvania entitles him to our confidence, not only dissipated all doubts which were entertained by any of the committee upon the subject of rendering Green river navigable by slack water, but satisfied them of the perfect success of that species of improvement, if properly conducted, whenever or wherever adopted upon the other principal rivers of our State.—The committee, so far as they could judge from the character of the material upon the ground ready to be used, whenever the water and the season would enable the contractors to progress with the work, were satisfied of the fidelity with which the work had been, and would be done. Without enumerating the quantity or kind of materials on hand, the committee will state that every thing necessary to a speedy completion of lock No. 2, seem to be prepared and ready to be put together so soon as the water and season will permit, and in a style which will be worthy of the State whose improvement it is. Nothing but the unusual number of freshets during the present season has prevented the completion of lock No. 2, by the time anticipated in the last annual report of the board of managers. The resolution invites the opinion of the committee upon the general usefulness of this work, and of its importance to the section of country washed by the waters of Green river.

A survey of the map of the State presents to our view the counties of Daviess, Hancock, Breckenridge, Ohio, Grayson, Butler, Edmonson, Hardin, Hart, Green, Adair, Barren, Warren, Muhlenburg, Hopkins, Henderson and Logan, all of which are situated upon Green river and its tributaries, and all more or less dependant upon the navigation of that river for an outlet to market, for the productions of agricultural labor—counties already producing abundantly the staple commodities of our State for exportation, and capable of sustaining and giving employment to ten times their present agricultural labor. Within this region of the State are found the finest forests of timber, and mines of iron ore and of coal inexhaustable.

The lands, the forests, coal and productions of labor of every description will all be enhanced in value by the completion of the works contemplated on Green river. Whatever lessens the expense of transportation of our articles of export and import, adds to the price of labor and the value of its productions. Viewing the works upon Green river as calculated to effect this end, as furnishing a constant and safe channel for export and import, giving

value to every oak now upon its banks, and opening facilities to the use and transportation for the coal and minerals which are found almost in every bank and hill for many miles up the stream and its tributaries, the committee can have no hesitation in expressing an unqualified opinion of the general and local utility of this work. In illustration of this opinion, the committee submit a statement of the present trade of the river, and the amount of freight ascending and descending in a single article. At present, of the article of tobacco alone, about eight thousand hogsheads annually descend Green river, seeking a market at New Orleans. The average freight and insurance upon the item of export is nine dollars and fifty cents per hogshead, equal to seventy-six thousand dollars the expense alone of transportation. Should this work of improvement be completed, it is believed by those intimately acquainted with the trade, and who have been engaged in it for some years, that the price of freight and insurance would not exceed the sum of four dollars fifty cents per hogshead, equal to thirty six thousand dollars, thus saving to the grower of that article alone the sum of forty thousand dollars annually, which at this time is a charge upon his labor, and which is never returned to him in any form. The same ratio of expense and saving will be found to apply to all other articles of export which now enter into the computation of the commerce of that growing and flourishing region of the State. When this estimate is compared to the whole cost of the works contemplated, say three hundred thousand dollars, what statesman can hesitate in yielding his assent to the further and vigorous prosecution of a work which will give such commercial facilities, at a cost not exceeding one thousand dollars per mile—less than one fourth the cost of our turnpike roads. By the law of last session, making further appropriation for the improvement of Green river, it is provided that no part of the sum appropriated by that act shall be expended until the locks and dams Nos. 1 and 2 shall have been completed. This restriction should be repealed. By the plan of improvement, the dam at lock No. 2 is intended to back the water at least five feet upon the dam and miter cill of No. 3, so that if the work at No. 3 shall be postponed until the work is completed at No. 2, there will be a depth of five feet water overflowing the site for the dam and lock No. 3; to overcome which, coffer dams, at a great expense, will have to be erected, thus adding to the costs of the improvement beyond the estimates, and beyond what it would cost, if the work was now under contract, and progressing so as to be ready to receive the water upon it from the dam below. A wise policy dictates a speedy completion of the whole work, and as the plan of improvement with those who have seen it and taken the pains to examine it, is no longer matter of speculation or doubt, the committee recommend the passage of a law authorizing locks and dams Nos. 3 and 4, on Green river, and lock

and dam No. 1 on Barren river to be put under contract. The attention of the committee was called to the fact that as yet there has been no mode prescribed, by law, by which the State can appropriate to its own use the land necessary to the construction of these works at their respective sites, and, therefore, recommend the passage of a law authorizing the board of commissioners, by contract or otherwise, to acquire a quantity of ground at the sites and locks No. 1 and 2 for the use of the State; and that the said commissioners shall be directed, before they commence any other dam or lock, to secure to the State the right of soil to the same.

WILLIAM G. CARTER,

One of the committee of the Senate.

J. HARVIE,

C. A. WICKLIFFE,

W. R. GRIFFITH,

JNO. L. HELM,

F. W. TRAPNALL,

Committee of the House of Representatives.

Ordered, That the said report be referred to the committee of Internal Improvements.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate entitled,

An act to amend an act approved December 8th, 1831, entitled, an act to incorporate the city of Lexington.

That they had passed bills of the following titles, viz:

An act for an appropriation to the Allen seminary of learning.

And an act to establish the town of Bradfordsville; and appoint trustees to the town of Creelsburg.

And that they had adopted a preamble and resolutions, in relation to the revenue arising from the sale of public lands.

Mr. Bush, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act to abolish the election precinct in Clarke county, commonly called the Stoner precinct, and for other purposes.

An act further regulating the duties of the trustees of the town of Augusta.

An act for the benefit of Henrietta White.

An act for the benefit of the jailer of Warren county, and for other purposes.

An act for the benefit of William A. Coleman and Mary Coleman, his wife.

An act to establish a State road from Hopkinsville by way of Eddyville to Smithland in Livingston county.

An act to revive and amend the Goose Creek turnpike road law.

An act appropriating the fines and forfeitures in Jefferson county.

An act to amend the 14th section of an act, entitled, an act to amend and reduce into one the execution laws of this State, approved 12th February, 1828.

An act prescribing the mode of choosing electors to vote for President and Vice President.

An act to incorporate the Bloomfield and Fairfield turnpike road company.

And an act to amend an act approved December 8th, 1831, entitled, an act to incorporate the city of Lexington.

And had found the same truly enrolled.

And Mr. Murrell, reported that the said committee had examined enrolled bills of the following titles, viz:

An act to establish election precincts in Hart and Nelson counties.

An act for the benefit of James Riddlebarger's heirs and representatives.

An act to legalize the proceedings of the Logan county court at their March term 1835.

An act to amend the charter of the Springfield and Bardstown turnpike road company.

An act providing for the service of process when the sheriff and coroner of the county are parties to the same suit.

An act to enlarge the constable's district for the town of Monticello.

And an act to change the place of voting in Sugartree run precinct in Breckenridge county.

And had found the same truly enrolled, that the said bills had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate, affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Messrs. Bush and Murrell, reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Watkins—1. A bill to amend an act, entitled, an act to establish a road from the mouth of Salt river, to intersect the road from Brandenburg to Bowlinggreen.

On the motion of Mr. Woolley—2. A bill to amend the charter of the Lexington and Ohio Rail Road Company.

On the motion of Mr. Morgan—3. A bill to change the time now prescribed by law, for the resignation of Militia Officers.

On the motion of Mr. Roberts—4. A bill for an appropriation to erect a seminary of learning in the town of Brandenburg, in the county of Meade, and for other purposes.

And on the motion of Mr. Southgate—5. A bill to repeal in part an act amendatory of the several acts relating to the town of Newport, in Campbell county, approved February 24th, 1834, and also, amendatory thereof.

Messrs. Watkins, James and Carter, were appointed a committee to prepare and bring in the first; the committee of Internal Improvements was directed to prepare and bring in the second; the committee on Military Affairs the third; the committee of Education the fourth, and Messrs. Southgate, Bush and Patterson the fifth.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Wingate, from the committee of Religion—1. A bill divorcing Sarah Crutcher from her husband, James W. Crutcher.

By Mr. Southgate—2. A bill to amend an act, entitled, an act amendatory of the several acts relating to the town of Newport, approved February 24th, 1834.

And by Mr. James—3. A bill to establish a Warehouse and inspection of tobacco, flour, pork and salt, upon the lands of William E. Sublett, at his Warehouse landing, upon the Little Obion, in the county of Hickman.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the second bill, and the second and third readings of the first and third having been dispensed with, the second was referred to the committee of Courts of Justice; the first and third being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred a bill from the House of Representatives, entitled, an act to protect the actual and *bona fide* settlers on Islands in the Mississippi river,

Reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Guthrie, from the same committee to whom was referred a bill for the benefit of the widow and heirs of Samuel Woods, deceased,

Reported the same with an amendment.

Which was twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third read-

ing of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the committee of Finance, to whom was referred a bill to provide a sinking fund for the payment of the interest on loans for Internal Improvements, and for the final redemption of the principal of said loans, reported the same without amendment; the consideration of the said bill, was made the order of the day for Thursday next.

The amendments proposed by the House of Representatives, upon concurring in the amendments proposed by the Senate, to bills from that House of the following titles, were twice read and concurred in, viz:

An act to allow an additional justice of the peace to the county of Lawrence.

And an act to allow an additional justice of the peace to Lincoln county.

The amendment proposed by the House of Representatives, to a bill from the Senate, entitled, an act to apply the fines and forfeitures of Mason county, to the lessening the county levy,

Was twice read and concurred in.

Engrossed bills of the following titles, viz:

An act the better to protect the proprietors of ferries across the Ohio and Mississippi rivers.

And an act for the benefit of the State road leading to the Virginia line from Mount Sterling, through Prestonsburg and Pikeville, Were each read the third time.

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

An engrossed bill entitled, an act for the benefit of John Woods, was read a third time,

And the question being taken on the passage thereof, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. McHenry and Willis, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Bush, Grider, Guthrie, Hanson, Harreld, Jessup, Lyon, Metcalfe, Parker, Patterson, Roberts, Thornton, Watkins, Wingate, Woolley, A. Young and S. Young—18.

NAYS—Messrs. Bramlette, Daviess, Gilbert, James, Lusk, McDonald, McHenry, May, Miller, Morehead, Murrell, Sisk, Smith, Southgate and Willis—15.

Resolved, That the title of the said bill be as aforesaid.

Bills from the House of Representatives of the following titles,

were severally read the first time, and ordered to be read a second time, viz:

An act for the benefit of the heirs of Benjamin Long.

An act to reduce the number of justices of the peace and constables in Adair county.

An act allowing Spotswood Wilkinson, to sell an interest in certain real estate for the devisees of E. P. Wilkinson, deceased.

An act for the benefit of the heirs of H. G. Wintersmith, deceased.

An act to repeal the first, second and third sections of an act to improve the navigation of salt river, and for other purposes.

An act to establish the town of Bryantsville in Garrard county.

An act authorizing the sale of certain lands belonging to the infant heirs of Samuel Bradley, deceased.

An act for the benefit of William C. Connett.

An act concerning the Hartford Bridge Company.

An act to amend the charter of the Louisville turnpike company.

An act for the benefit of Sarah Ann and Henry Stemmons.

An act authorizing the jailer to serve process in certain cases.

An act to amend the several acts to suppress the practice of duelling in this Commonwealth.

An act for the benefit of John and Peggy Garvin, and their children, and of John Coleman's representatives.

An act for benefit of the administrator and heirs of James Seeders, deceased.

And act to amend an act to incorporate the Louisville Marine and Fire Insurance Company.

The rule of the Senate, constitutional provision, and second reading of the said bills, having been dispensed with, they were referred to the committee of Courts of Justice.

Bills from the House of Representatives, of the following titles, viz:

An act to authorize Waller R. Dupuy, and Mary J. Dupuy, his wife, to sell and convey a tract of land lying in Christian county.

An act declaring Collins' Fork of Goose creek in Clay and Knox counties, a navigable stream.

An act to amend an act, entitled, an act to improve the navigation of Nolin, approved 22d February, 1834.

And an act to establish an election precinct in Hickman county.

Were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills, having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles, viz:

An act for the benefit of Pandora A. Huff.

An act for the benefit of Aaron Allison.

An act for the benefit of Rebecca Shepherd.

An act for the benefit of Susannah Drane.

An act for the benefit of Susan Threlkeld.

An act for the divorce of Pamela M. Parker.

And an act for the benefit of Sarah More.

Were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, they were referred to the committee of Religion.

Bills from the House of Representatives, of the following titles, viz:

1. An act to reduce the number of justices of the peace in Butler county.

2. An act to amend an act to provide for the improvement of the road from Franklin county, to Crab Orchard in Lincoln county.

3. An act for the benefit of the jailer of Jessamine county.

4. An act to extend the powers of the trustees of the town of Winchester, and for other purposes.

5. An act to construct a turnpike road from Taylorsville, by way of Jeffersontown, to Louisville.

6. An act supplementary to an act entitled, an act, to incorporate the Richmond and Lexington turnpike road company.

7. An act to establish a State road from Morganfield in Union county, to Smithland in Livingston county.

8. An act to incorporate the Dock Company at Covington; and

9. An act to authorize the improvement of the hill at Mills' Point on the Mississippi river.

Were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with, they were referred, the first, to the committee of Propositions and Grievances; the second, to a committee of Messrs. Daviess, Smith and Wingate; the third and fourth, to the committee of Finance, and the fifth, sixth, seventh, eighth and ninth, to the committee of Internal Improvements.

A bill to incorporate the Smithland General Insurance Company; and

A bill to incorporate the Elizaville and Mayslick turnpike road company,

Were each read a second time, and ordered to be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third read-

ing of the said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

The Speaker laid before the Senate, a letter from the Lieutenant and acting Governor, together with the reports of the Board of Internal Improvements, and the reports of the Principal and Assistant Engineers, and their maps, plans and estimates, which letter and reports are as follows, viz:

FRANKFORT, KENTUCKY, }
January 21, 1831. }

HON. W. B. BLACKBURN,

Sir:—I have the honor to communicate herewith, the report of the Board of Internal Improvement, with the reports of the Principal and Assistant Engineers, and their maps, plans and estimates, which I am directed to request to be laid before the Legislature.

Very respectfully,

I have the honor to be,

Your obedient servant,

JAMES T. MOREHEAD.

[*For the Reports referred to, see appendix to this Journal.*]

Ordered, That the said reports be referred to the committee of Internal Improvements, and that the public printer print fifteen hundred copies thereof for the use of the General Assembly.

And then the Senate adjourned.

FRIDAY, JANUARY 22, 1836.

The Speaker laid before the Senate, the following letter from Col. William O. Butler, viz:

TO THE HON. WM. B. BLACKBURN,

Speaker of the Senate:

Sir: To-day is the 23d anniversary of the defeat and massacre at Raisin: a day that filled each heart with sorrow, and left a settled gloom upon the land which years of peace and unrivalled prosperity have not been sufficient to dispel; a day on which three hundred of the pride and flower of Kentucky chivalry died, nobly struggling against hopeless odds, or fell the victims of British perfidy and savage ferocity, when they had yielded themselves prison-

ers of war. That the blood of these gallant men should be poured out in the wild, like rain upon the desert sands, to sink and be forgotten, I will not permit myself to believe. As one of the few survivors of that disastrous day, I therefore, beg leave to impress upon the Legislature of Kentucky, the justice and propriety of causing such a monument to be erected to their memory, as will at once attest the gratitude of the country in whose service they perished, and save from unmerited oblivion, a band of devoted patriots, who wanted but an equal field, and a fit chief, to have written their own names in the brightest annals of the world.

Do me the favor to lay this communication before the honorable body over which you preside, and greatly oblige yours, &c.

W. O. BUTLER.

Ordered, That the said letter be referred to a committee of Messrs. Roberts, Woolley, Guthrie and Lusk.

A message was received from the House of Representatives, announcing the passage of bills which originated in that House of the following titles, viz:

An act concerning public roads and ferries.

An act for the benefit of John Davis and his children.

An act for the benefit of George Wymore.

An act for the benefit of John H. Combs.

An act for the benefit of the sheriff of Colloway county; and

That they had passed a bill which originated in the Senate, entitled, an act for the benefit of John Owens, of Clarke county.

Mr. Daviess presented the remonstrance of sundry citizens of Mercer county, against the formation of a new county out of parts of the counties of Mercer and Lincoln.

And Mr. Lyon presented the petition of the President and Managers of the Smithland Dock Company, and others, praying that the said company may be vested with banking powers and privileges; which were received and referred to the committee of Propositions and Grievances.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred a bill to provide for condemning lands and materials for the construction of turnpike roads, bridges, and works of Internal Improvements,

Reported the same with amendments,

Which were twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time.

The rule of Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Daviess, from the committee of Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled,

An act to reduce the number of justices of the peace in Butler county,

Reported the same with the opinion of the committee that it ought to pass.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill, having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Daviess, from the committee of Propositions and Grievances—1. A bill establishing an election precinct in Breckenridge county.

2. A bill to establish the county of _____

By Mr. Wingate, from the committee of Religion—3. A bill for the benefit of George Calmies.

By Mr. Willis—4. A bill to improve the road at Elk Hill in Hart county, and the road at the Green river Hill.

And By Mr. Gilbert—5. A bill for the benefit of William Green, of Harlan county.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the fourth bill having been dispensed with, it was referred to the committee of Internal Improvements.

The rule of the Senate, constitutional provision, and second and third readings of the first, third and fifth bills, having been dispensed with, and the same being engrossed.

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill to incorporate the Maysville and Mason county Manufacturing Company,

Reported the same with the opinion of the committee that it ought to pass.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Willis having obtained leave, reported a bill to authorize

the county court of Hart county, to subscribe for stock in the Louisville turnpike road company,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to a committee of Messrs. Murrell, Willis and Roberts.

Mr. Murrell, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act to incorporate the Mountsterling and Maysville turnpike road company,

An act for the benefit of William McCoy; and

An act giving to the Livingston circuit court an additional week to its terms.

And had found the same truly enrolled, and that they had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

A message in writing was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State, and the rule of the Senate having been dispensed with, the said message was taken up, and read as follows, viz:

Gentlemen of the Senate—

Since the adjournment of the Legislature in February last, the following officers have been commissioned until the end of your present session. I now nominate them for your advice and consent, to be commissioned for the offices respectively annexed to their names, viz:

Edward P. Johnson, to be a member of the Board of Internal Improvement of the State of Kentucky, in place of J. Harlan, resigned.

Orlando Brown, to be a member of the same, in place of J. Harvie, resigned.

Leslie Combs, to be a Director on the part the Commonwealth, of the Northern Bank of Kentucky.

J. Bruen, to be a Director of the same, in place of E. Warfield, resigned.

Wm. Richardson, to be Director of the same, in place of Robert Wickliffe, resigned.

I also nominate for your advice and consent Wyatt C. Webb, to be Sheriff of Scott county, in place of Marcus Duvall, resigned.

Alfred L. Hargis, to be Sheriff of Christian county, in place of C. Oglesby, resigned.

J. T. MOREHEAD.

January 22, 1836.

Resolved, That the Senate advise and consent to the said appointments, except those of E. P. Johnson and Orlando Brown.

Ordered, That Mr. Willis inform the Lieutenant and acting Governor thereof.

A message was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State, announcing that he had on this day approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act for the benefit of Daniel Curd, surveyor of Barren county.

An act for the relief of Margaret Haydon.

An act to amend an act approved December the 8th, 1831, entitled, an act to incorporate the city of Lexington.

An act for the benefit of James Riddlebarger's heirs and representatives.

An act to enlarge the constable's district for the town of Monticello.

An act to change the place of voting in the Sugartree run precinct in Breckenridge county.

An act to legalize the proceedings of the Logan county court, at their March term, 1835.

An act to establish election precincts in Hart and Nelson counties.

An act providing for the service of process where the sheriff and coroner of the county are parties to the same suit.

An act to amend the charter of the Springfield and Bardstown turnpike road company.

Bills from the House of representatives, of the following titles, to-wit:

1. An act for the benefit of Whitley Seminary.

2. An act to establish the town of West Liberty, in Morgan county.

3. An act for the benefit of the sheriff of Grant county.

4. An act to change the time of holding the Laurel county court.

5. An act for the benefit of John Blue, sheriff of Union county.

6. An act for an appropriation to the Allen Seminary of learning.

7. An act to establish the town of Bradfordsville, and appoint trustees to the town of Creelsburg.

8. An act for the benefit of the sheriff of Calloway county.

9. An act for the benefit of John H. Combs.

10. An act for the benefit of George Wymore.

11. An act for benefit of John Davis and his children; and

12. An act concerning public roads and ferries.

Were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the first, second, third, fourth, seventh and eighth bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

The rule of the Senate, constitutional provision, and second reading of the sixth, ninth, tenth, eleventh and twelfth, having been dispensed with, they were referred, the sixth to the committee of Finance; the ninth, to the committee of Religion, and the tenth, eleventh and twelfth, to the committee for Courts of Justice.

A preamble and resolutions from the House of Representatives in relation to the revenue arising from the sale of Public Lands, was on motion, made the order of the day for Friday the 29th instant.

On the motion of Mr. Willis,

Resolved, That when the Senate adjourn on this day, it will adjourn to meet again on Monday next, at 10 o'clock, A. M.

And then the Senate adjourned.

MONDAY, JANUARY 25, 1836.

On motion—

Ordered, That Mr. Bush, have leave of absence until Wednesday the 27th inst.

A message was received from the House of Representatives, announcing the passage of bills which originated in that House of the following titles, viz:

An act to change the time of holding the February term of the Christian circuit court.

An act to authorize the purchase of scientific books for the use of the Engineer Department of the State; and

An act allowing an additional justice of the peace in the town of Richmond.

That they had concurred in the amendment proposed by the Senate, to a bill which originated in that House entitled, an act for the benefit of the holders of headright certificates, and had passed bills from the Senate of the following titles, viz:

An act to improve the State road from Mount Sterling to the Virginia State line by way of Prestonsburg and Pikeville; and

An act for the benefit of the heirs of Willis Morgan, deceased.

And that they had received official information that the Lieutenant and acting Governor, did on the 22d instant approve and sign enrolled bills which originated in that House of the following titles, viz:

An act for the benefit of Sophia Warrenner.

An act for the relief of the infant heirs of Thomas Berryman, deceased.

An act to establish an election precinct in Marion county.

An act for the benefit of Bartlett L. Graves.

An act for the benefit of Thomas F. Hackley.

An act for the benefit of Elizabeth Maxey.

An act to authorize the insertion of advertisements in the Hopkinsville Gazette and Western Visiter.

A resolution to examine the Lunatic Asylum and Transylvania University.

An act for the benefit of Leander P. Hammer, and Rebecca D. Hammer.

An act to establish an election precinct in Bullitt county.

An act for the benefit of Elizabeth Fowler.

An act for the benefit of William Elliott and H. Henry.

An act abolishing the election precinct in Clarke county, commonly called the Stoner precinct, and for other purposes.

An act further regulating the duties of the trustees of the town of Augusta.

An act for the benefit of Henrietta White.

An act for the benefit of the jailer of Warren county, and for other purposes.

An act for the benefit of William A. Coleman and Mary A. Coleman, his wife.

An act prescribing the mode of choosing electors to vote for President and Vice President.

An act to incorporate the Bloomfield and Fairfield turnpike road company.

An act to establish a state road from Hopkinsville, by way of Eddyville, to Smithland, in Livingston county.

An act to revive and amend the Goose creek turnpike road law.

An act appropriating the fines and forfeitures in Jefferson county.

An act to amend the 14th section of an act, entitled, an act to amend and reduce into one the execution laws of this State, approved 12th of February, 1828.

Mr. Lyon presented the petition of Gustavus A. Brown, praying that a law may pass granting him a change of venue from the Livingston circuit court, where he stands indicted as accessory to the murder of a young man by the name of Sanders, to the county of Christian, or some other county.

Which was received and read, and referred to the committee of Courts of Justice.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill from the House of Representatives, enti-

tled, an act to incorporate the Dock Company at Covington; reported the same with the opinion of the committee that it ought to pass.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. James, from the committee appointed for that purpose, reported a bill to authorize the citizens of the town of Columbus, in the county of Hickman, to elect their trustees.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill, having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Willis having obtained leave, reported a bill for the benefit of Nathaniel Reynolds.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Finance.

Mr. Willis, from the committee to whom was referred a bill to authorize the county court of Hart county, to subscribe for stock in the Louisville and Nashville turnpike road company,

Reported the same with an amendment.

Which was twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional, provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be, An act to authorize the county courts of Barren, Hardin and Hart counties, to subscribe for stock in certain turnpike roads.

On the motion of Mr. Southgate,

Resolved, That that the Auditor of Public Accounts, be requested to furnish the Senate with a statement exhibiting the amount of revenue, receivable by sheriffs and clerks of each county, during the year ending on, and including the 10th October, 1835; the amount of expenditures of each county during the same time; and also the difference between the revenue and expenditures to each county of this Commonwealth.

Leave was given to bring in the following bills, viz:

On the motion of Mr. James—1. A bill appointing commission-

ers to settle with the Receiver of Public Moneys West of the Tennessee river.

On the motion of Mr. Roberts—2. A bill to amend the criminal laws of this Commonwealth, and for other purposes.

3. A bill concerning the number of constables in the county of Hardin, and for other purposes.

And 4. A bill making an additional appropriation to complete the Rolling Fork Bridge, and for other purposes.

On the motion of Mr. James—5. A bill for the benefit of the settlers West of the Tennessee river, whose improvements have been entered by seminary claims.

On the motion of Mr. Watkins.—6. A bill to regulate the ferries on Rough creek; and

On the motion of Mr. Gilbert—7. A bill declaring the Middle Fork of the Kentucky river navigable up to the mouth of Laurel.

Messrs. James, Lyon and Jessup were appointed a committee to prepare and bring in the first bill; Messrs. Roberts, Woolley, Willis and Southgate, the second; Messrs. Roberts, Southgate, Willis and Guthrie, the third; Messrs. James, Watkins and Lyon, the fifth; Messrs. Watkins, Harreld and James, the sixth; Messrs. Gilbert, McHenry and Southgate, the seventh, and the committee of Internal Improvements, was directed to prepare and bring in the fourth.

Mr. Wingate, from the committee to whom was referred a bill from the House of Representatives, entitled, an act to amend an act to provide for the improvement of the road from Franklin county, to Crab Orchard, in Lincoln county,

Reported the same with an amendment.

Which was twice read and concurred in.

Ordered, That the said bill be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Southgate, from the committee to whom was referred a bill from the House of Representatives, entitled, an act to amend the law in relation to opening and repairing the roads in Campbell county,

Reported the same with amendments,

Which were twice read and concurred in.

Ordered, That said bill be read a third time as amended.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

A bill from the House of Representatives, entitled, an act for the benefit of John Blue, late sheriff of Union county,

Was read the second time, and ordered to be read a third time.
The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives of the following titles, viz:

1. An act allowing an additional justice of the peace in the town of Richmond.

2. An act to change the time of holding the February term of the Christian circuit court; and

3. An act to authorize the purchase of Scientific books for the use of the Engineer Department of the State,

Were each read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the first and second bills, having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

The rule of the Senate, constitutional provision, and second reading of the third bill, having been dispensed with, it was referred to the committee of Internal Improvements.

And then the Senate adjourned.

TUESDAY, JANUARY 26, 1836.

Mr. James presented the petition of Jeremiah Dobson and Aaron P. Hodges, praying for the passage of a law authorizing them to enter two fractional quarter sections of land in Calloway county, which they have improved.

Which petitions was received and referred to the committee of Courts of Justice.

Messrs. Watkins and James, were added to the committee of Enrolments.

On the motion of Mr. Roberts, who voted in the majority, the vote was re-considered, by which was passed, a bill from the House of Representatives, entitled,

An act allowing an additional justice of the peace in the town of Richmond.

The question being again taken on the passage of the said bill it was decided in the negative, and so the said bill was disagreed to.

Mr. Watkins, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act for the benefit of Matthew Robertson.

An act for the benefit of William Morris, sheriff of Clay county.

An act for the benefit of the administrators of G. C. Goodridge.

An act for the benefit of the holders of Headright Certificates.

An act for the benefit of James Branham.

An act for the benefit of Penelope Jones.

And an act for the benefit of Beverly Stubblefield.

An act to authorize the county court of Logan to appoint an additional constable.

An act for changing the time of holding the Graves county court.

An act to authorize Waller R. Dupuy and Mary J. Dupuy his wife, to sell, and convey a tract of land lying in Christian county.

An act declaring Collins' Fork of Goose creek in Clay and Knox counties, a navigable stream.

An act to amend an act entitled, an act to improve the navigation of Nolin, approved 22d February, 1834.

An act for the benefit of Thomas J. Kirtley,

An act to establish an election precinct in Hickman county.

An act to protect the actual and *bona fide* settlers on Islands in the Mississippi river.

An act to allow an additional justice of the Peace to the counties of Lawrence and Morgan.

An act to allow an additional justice of the peace to Lincoln county; and

An act for the benefit of the heirs of Willis Morgan, deceased.

And had found the same truly enrolled, that the Speaker of the House of Representatives had signed the same.

Whereupon the Speaker of the Senate, affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Watkins reported that the committee had performed that duty.

Mr. Metcalfe, from the committee of Internal Improvements, reported a bill to amend the charter of the Lexington and Ohio Rail Road Company,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Courts of Justice.

On the motion of Mr. S. Young, the vote by which the said bill

was referred to the committee of Courts of Justice was re-considered.

The said bill was amended, and referred to the committee of Internal Improvements.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred bills from the House of Representatives, of the following titles, viz:

1. An act to authorize the improvement of the hill, at Mills' Point, on the Mississippi river.

2. An act supplementary to an act entitled, an act to incorporate the Richmond and Lexington turnpike road company; and

3. An act to establish a State road from Morganfield in Union county, to Smithland in Livingston county,

Reported the same without amendment, with the opinion of the committee that they ought to pass.

On the motion of Mr. James, the first was laid on the table.

Ordered, That the second and third bills be read a third time.

The rule of Senate, constitutional provision, and third reading of the third bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Metcalfe, from the same committee to whom was referred a bill to incorporate the Crab Orchard and Cumberland Gap turnpike company,

Reported the same with amendments,

Which were twice read and concurred in.

The blanks in the said bill were filled, and it was ordered to be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Woolley, the committee of Education, was discharged from the further consideration of the petition of Mann Butler, and from the duty of preparing and bringing in a bill for an appropriation to erect a Seminary of Learning in the town of Brandenburg in the county of Meade, and for other purposes; and Messrs. Roberts, Guthrie, Willis and Daviess, were appointed a committee to prepare and bring in the said bill.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Southgate—1. A bill to incorporate the Newport, Falmouth, Cynthiana, Paris and Winchester turnpike road company.

On the motion of Mr. Parker—2. A bill to amend the charter of the city of Maysville.

On the motion of Mr. McHenry—3. A bill further to define the powers of the trustees of the town of Somerset in Pulaski county.

On the motion of Mr. Daviess—4. A bill to incorporate the town of Harrodsburg.

On the motion of Mr. Smith—5. A bill to enlarge the constable's district including the town of Mount Vernon in Rockcastle county.

On the motion of Mr. James—6. A bill providing for erecting a bridge across Mayfield creek, in a direction from Paducah to Columbus.

On the motion of Mr. Sisk—7. A bill to incorporate the Union White Sulphur Spring Company.

And on the motion of Mr. Boyd—8. A bill to establish Orphans' Courts in this Commonwealth.

Messrs. Southgate, Metcalfe, Morgan, A. Young, Thornton, Hanson and Patterson, were appointed a committee to prepare and bring in the first; the committee of Courts of Justice, was directed to prepare and bring in the second; Messrs. McHenry, Sisk and Jessup, were appointed a committee to prepare and bring in the third; Messrs. Daviess, Lusk and Guthrie, the fourth; Messrs. Smith, Lusk and Gilbert, the fifth; Messrs. James, Lyon and Harrell the sixth; Messrs. Sisk, Bramlette and McHenry, the seventh, and Messrs. Boyd, Woolley and S. Young, the eighth.

Mr. Watkins from the committee appointed for that purpose, reported a bill to amend an act, entitled, an act to establish a road from the mouth of Salt river, to intersect the road from Brandenburg to Bowlinggreen,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Internal Improvements.

Mr. McHenry, from the committee appointed for that purpose, reported a bill further to define the powers of the trustees of the town of Somerset in Pulaski county,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Guthrie read and laid on the table the following resolutions, viz:

WHEREAS, the Government of France has evaded the execution

of the treaty of 4th July, 1831, with the government of the United States, and still withholds the indemnity for spoliations on our commerce, for the payment of which her faith and honor as a nation was solemnly pledged; and seeks, as a condition precedent, to dictate and demand explanations and disavowals on the part of the Government of the United States, of a communication from the Executive to Congress, and thus to interfere with the action of one department of our Government with another; and, whereas, the extraordinary pretension thus set up can only be designed to serve as a pretext for the failure of France to comply with said treaty, and is an attempt to exact from the Government of the United States admissions as unfounded as they would be dishonorable, and which cannot be made without a sacrifice of national honor.

Resolved, by the General Assembly of the Commonwealth of Kentucky, That our character and existence as an independent nation depend on our will and ability to enforce the obligations of treaties, and that the resolve of the House of Representatives of the United States, that the treaty of the 4th July, 1831, with France "should be maintained and its execution insisted on," and the declaration of the President, that it is due to our interests and honor that said resolution should, at all hazards, be adhered to, meet the entire approbation of this Legislature.

Resolved, That the recommendations of the President, to "prohibit the introduction of French products and the entry of French vessels," and to meet the extensive naval preparations of France by ample and "speedy appropriations for the increase of the navy and the completion of the coast defences" of the United States, are cordially approved by this body.

Resolved, That his Excellency, the Acting Governor, be requested to forward copies of the foregoing preamble and resolutions to our Senators and Representatives in Congress.

Ordered, That the consideration of the said resolutions be the order of the day, for Monday next, and that the public printer print one hundred and fifty copies thereof, for the use of the General Assembly.

Mr. Sisk, from the committee appointed for that purpose, reported a bill to incorporate Union White Sulphur Spring Company,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Courts of Justice.

On the motion of Mr. James,

Resolved, That the committee on Internal Improvements be instructed to enquire into the expediency and propriety of directing the Engineer for this State, to view and survey the navigable

streams in the county of Hickman; and also the propriety of providing by law, for appropriating the sum of fifteen hundred dollars for the improvement of Bayou de Chien, which sum was appropriated to said stream, by the 6th section of an act for the Internal Improvement of the State of Kentucky, approved February 28th 1835.

And then the Senate adjourned.

WEDNESDAY, JANUARY 27, 1836.

The Speaker presented the petition of Susan Ball, praying for the passage a law authorizing a sale of a tract of land in Woodford county, which was devised to her during her life, and at her death to her infant children, and that the proceeds of the sale be vested in Western lands.

Which petition was received and referred to the committee of Courts of Justice.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred bills from the House of Representatives of the following titles, viz:

An act concerning public roads and ferries.

An act for the benefit of the heirs of H. G. Wintersmith, deceased.

An act to amend an act to incorporate the Louisville Marine and Fire Insurance Company.

An act concerning the Hartford Bridge Company.

And an act for benefit of the administrator and heirs of James Seeders, deceased.

Reported the same without amendment, and with the opinion of the committee that they ought to pass.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills, having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Guthrie, from the same committee, to whom was referred a bill to incorporate Union White Sulphur Spring Company,

Reported the same without amendment,

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

On the motion Mr. Guthrie, the committee of Courts of Justice was discharged from the further consideration of a bill from the House of Representatives, entitled,

An act to amend the charter of the Louisville turnpike company.

And the said bill was referred to the committee of Internal Improvements.

Mr. Daviess, from the committee of Propositions and Grievances made the following report, viz:

The committee of Propositions and Grievances to whom was referred the petition of the President and Directors of the Smithland Dock Company, praying an amendment of their charter, and an increase of their capital, with power to bank thereon, have, according to order, had the same under consideration, and have come to the following resolution.

Resolved, That the said petition be rejected.

Which was twice read and concurred in.

On the motion of Mr. Daviess, the committee of Propositions and Grievances was discharged from the further consideration of the petition to provide for killing crows.

Mr. Smith, from the committee to whom was referred a bill to change the regulation of the Madison Gate, on the Wilderness road,

Reported the same with an amendment.

Which was twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be amended to read, an act to amend an act, entitled, an act further to regulate the Wilderness road, approved 11th of January, 1830.

A message in writing was received from the Lieutenant and acting Governor, by Mr. Cox, Assistant Secretary of State.

The rule of the Senate having been dispensed with, the said message was taken up, and read, as follows, viz:

Gentlemen of the Senate—

I nominate for your advice and consent, James E. Davis, to be Mayor of the city of Lexington.

Robert E. Culbreth, to be Notary Public for the county of Campbell.

John M. LaRue, to be Colonel of the 60th Regiment, in place of A. S. Letcher, resigned.

Alfred Sturgeon, to be Lieutenant Colonel of the same, in place of J. M. LaRue, if promoted.

John Coffey, to be Major of the same, in place of A. Sturgeon, if promoted.

J. T. MOREHEAD.

January 26, 1836.

Resolved, That the Senate advise and consent to the said appointments.

Ordered, That Mr. Woolley inform the Lieutenant and acting Governor thereof.

Mr. Patterson presented the petition of Henry McAtee, and Susanna his wife, and James H. Gough, for themselves, and the said McAtee, as Guardian for the infant heirs of Ignatius Gough, dec'd. praying for the passage of a law authorizing a sale of a tract of land in Scott county, which they claim by devise from James Gough, deceased.

Which petition was received and referred to the committee of Courts of Justice.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act to incorporate a company to construct a turnpike road from Taylorsville, in Spencer county, to intersect the turnpike road from Bardstown to Louisville.

An act to establish and improve a state road from Landing, in Boone county, to intersect the Covington and Lexington turnpike road.

An act to incorporate a company to turnpike a road from Shelbyville, Shelby county, to Taylorsville in Spencer county.

An act to amend an act to incorporate the Carlisle, Flemingsburg and Greensburg turnpike road company.

An act to incorporate the Louisville Dock Company.

An act to incorporate the Bowlinggreen Portage rail way company.

An act to incorporate the Bowlinggreen and Double Spring turnpike road company.

An act to amend an act entitled, an act to incorporate the Shepherdsville and Louisville turnpike company, and for other purposes.

And an act to incorporate the Maysville and Bracken turnpike road company.

With amendments to the three last bills

Which amendments were severally twice read, and concurred in.

And that they had passed bills of the following titles, viz:

An act to declare Sexton's creek, in Clay county, a navigable stream.

And an act to authorize Preston Owen to erect gates across a certain road in Daviess county.

The said bills were each read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

A bill from the House of Representatives entitled, an act supplementary to an act entitled, an act to incorporate the Richmond and Lexington turnpike road company, was read a third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill to establish the county of _____

Was read the second time as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That from and after the first day of April next, all the parts of Cumberland and Wayne counties, included within the following boundary, to-wit: Beginning at the State line due North from the mouth of Wolf river, and thence a straight line to the plantation of Alexander Smith, including it; thence a straight line to the mouth of Tarcoat creek, on Cumberland river; thence up said river to [the line of Russell county; thence with a line of said county to Beaver creek; thence up said creek, to the mouth of Otter creek; thence up Otter creek, to the plantation of James Jones, including it; thence a straight line to the eleven mile post, on the road leading from Monticello to Stockton's valley; thence a straight line to George Jones', leaving his plantation in Wayne county; thence a direct line to the nearest point on Otter creek; thence up said creek, to the mouth of Carpenter's fork; thence with the dividing ridge between Carpenter's and Vanwinkle's fork] to the State line; thence with the same, to the beginning, shall be, and the same is hereby erected into one distinct and separate county, to be called and known by the name of _____.

SEC. 2. That the county of _____ shall be entitled to seven justices of the peace, who, after having been commissioned, shall, on the first Monday in April, 1836, meet at the house of Pleasant H. Williams, in said county, and after taking the necessary oaths of office, and qualifying their sheriff, they shall proceed to appoint a clerk, to whose permanent appointment a majority of all the justices in commission in and for said county shall concur, but if such majority cannot be had in favor of any one, then the court may appoint one pro tem, until a majority of said court shall concur in said appointment.

SEC. 3. That the county and circuit courts of Cumberland and Wayne, and the justices of the peace thereof, shall have jurisdiction in law and equity in all cases before this act takes effect, in the respective parts of said counties in which such cases may arise.

And it shall be lawful for the sheriffs, constables and collectors in said counties to collect all money and execute all process, as the law directs, which may be in their hands at the time this act takes effect, and account for the same according to law.

SEC. 4. That William Wood, John Noland and John Wade, be, and they are hereby appointed commissioners, who, or a majority of them, are hereby authorized and required to make a suitable selection and purchase of lots or parcels of ground in said county, for the erection of public buildings for the seat of justice, and shall make report of their purchase, and the price and terms thereof to the county court of said county at its next session, after such purchase and location; and it shall be the duty of said county court to make provision for the payment of the purchase money to be paid for said lot or parcel of ground according to the terms of the purchase. And the said county court shall, as soon as may be, after the purchase of such lot or parcel of ground is reported to them as aforesaid, proceed to cause a suitable court house and jail, with such other public buildings as they may think necessary or proper, to be erected thereon, and until the public buildings are erected it shall be the duty of the county court, at the expense of their county, to select and procure some suitable house in said county, in which the sessions of the county and circuit courts in and for said county may be held, until the court house shall be completed and prepared for that purpose.

SEC. 5. That the county court of _____ shall appoint commissioners of tax for the year 1837, who shall be governed by the laws which may be in force on that subject.

SEC. 6. That the county of _____ shall be, and the same is hereby attached to the eighth Judicial District.

SEC. 7. That the county of _____ shall be entitled to not more than four constables, and the county court of said county, so soon as this act takes effect, shall lay off the same into four constables' districts, and in the appointment of constables and all other county officers, shall be governed by the general law now in force on those subjects.

SEC. 8. That the surveyors of Russell and Adair counties, shall be, and they are hereby appointed commissioners, with such assistance as they may deem necessary to employ, to run and mark the boundary lines of said county, who shall be allowed two dollars per day for their services, while engaged in the same, and one dollar per day is allowed to each of the persons they may engage to assist them, payable out of the county levy of said county; and the commissioners to locate the seat of justice, and to contract for lots of ground for the public buildings, shall, in like manner, be allowed two dollars per day for their services, payable in the same manner, and the certificates of commissioners and surveyors of the time

and amount of their service shall be received by the county court as evidence thereof.

SEC. 9. That the county court of said county, shall, in making their county levy, provide for the payment of the claims of said commissioners.

SEC. 10. That the qualified voters in said county shall vote at all elections held for Senators and Representatives in the State Legislature, for members of Congress, and all other officers, in the same manner and at the same places in said county they now do, and also at the seat of justice in said county when the same shall be established. And the said county in the said elections shall vote for Senators and Representatives, with the counties of Wayne and Cumberland, in the respective parts thereof, as they did before the passage of this act, and the sheriff of said county of _____ shall compare the polls of said elections as now provided by law.

SEC. 11. That the county courts of said county shall hold their terms on the third Mondays in each and every month. And the circuit courts in and for said county, shall hold their terms on the first Mondays in April, July and October, in each and every year, and continue six juridical days, at each term thereof, if the business of said court requires it.

SEC. 12. That for the year 1836, the sheriffs of Wayne and Cumberland counties, shall proceed to collect the revenue and county levy in said county as though this act had never been passed.

Mr. McHenry moved to amend the said bill, by striking out from the word *to*, printed in italics, to the words "*to the State line*," also printed in italics, in the first section, and to insert in lieu thereof, the following, viz:

Within one half mile of Beaver creek; thence up Beaver creek, to the mouth of Otter creek; thence up Otter creek, so as not to run nearer than within one half mile of said creek, to Jacob Cites, leaving him in Wayne; thence to the twelve mile post, on the road that leads from Monticello to Stockton's valley; thence to the Poplar mountain, at Harget Stockton's; thence leaving him in the new county; thence up said mountain to the top; thence with the top of said mountain.

The question being taken on the adoption of the said amendment, it was decided in the negative, and so the said amendment was rejected.

The yeas and nays being required thereon by Messrs. McHenry and Parker, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Daviess, Grider, Jessup, Lusk, Lyon, McHenry, Miller, Morehead, Parker and Smith—11.

NAYS—Messrs. Boyd, Bramlette, Gilbert, Guthrie, Hanson, Harreld, James, May, Metcalfe, Murrell, Patterson, Sisk, South-

gate, Thornton, Watkins, Willis, Wingate, Woolley and A. Young—19.

The blanks in the said bill were then filled with the word "*Clin-ton*."

The question being taken on engrossing the said bill and reading it a third time, it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Bramlette and McHenry, were as follows, viz:

YEAS—Messrs. Bramlette, Guider, Guthrie, Hanson, Harrell, James, Lyon, May, Metcalfe, Morehead, Sisk, Southgate, Thornton, Willis and S. Young—15.

NAYS—MR. SPEAKER, Messrs. Boyd, Daviess, Gilbert, Jessup, Lusk, McHenry, Miller, Murrell, Parker, Patterson, Smith, Watkins, Wingate and Woolley—15.

Leave was given to bring in the following bills, viz:

On the motion of Mr. McHenry—1. A bill to appropriate a sum of money to build a bridge across Buck creek in Pulaski county.

On the motion of Mr. Thornton—2. A bill for the benefit of the witnesses summoned by the committee of Internal Improvements on the petition of Lewis Grigsby.

On the motion of Mr. Lyon—3. A bill to incorporate the Cumberland Rail Road and Navigation Company

On the motion of Mr. May—4. A bill to establish a State road from Pikesville, in Pike county, to the Virginia line, at the Sounding Gap of the Cumberland mountain.

On the motion of Mr. Willis—5. A bill to authorize the Board of Internal Improvement to have the turnpike road on Muldrow's hill examined by an Engineer, and report thereon his opinion of the value of said road, and for other purposes.

And 6—A bill to appoint commissioners to run and mark the line between Marion and Washington counties, and for other purposes.

Messrs. McHenry, Smith and Daviess, were appointed a committee to prepare and bring in the first; Messrs. Willis, McDonald and Roberts, the fifth; Messrs. Willis, McDonald and Daviess, the sixth; the committee of Finance, was directed to prepare and bring in the second, and the committee of Internal Improvements, the third and fourth.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Guthrie, from the committee of Courts of Justice—1. A bill providing for a change of venue in the case of Gustavus Brown.

By Mr. Smith—2. A bill to enlarge the constable's district including the town of Mount Vernon in Rockcastle county.

By Mr. Boyd—3. A bill to establish the Orphans' courts in this Commonwealth.

By Mr. Roberts—4. A bill for an appropriation to erect a Seminary of learning in the town of Brandenburg in Meade county.

By Mr. Southgate—5. A bill to repeal in part, an act amendatory to the several acts relating to the town of Newport, in Campbell county, approved February 24th 1834, and also, amendatory thereof.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the third, fourth and fifth bills, having been dispensed with, the third and fifth, were referred to the committee of Courts of Justice, and the fourth to the committee of Finance.

The rule of the Senate, constitutional provision, and second and third readings of the first and second bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the public printer print one hundred and fifty copies of the third bill for the use of the General Assembly.

On the motion of Mr. Morehead,

Resolved, That the committee of Courts of Justice be instructed to enquire into the propriety and expediency of so amending the law in relation to patrollers, as to subject the owners of slaves to a penalty for refusing to permit his negro houses to be examined.

Mr. Guthrie having obtained leave, reported a bill to establish the Mechanic's Savings Institution of Louisville.

And Mr. Southgate having obtained leave, reported a bill to amend the charter of the city of Covington.

The said bills were each read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, they were referred to the committee of Courts of Justice.

And then the Senate adjourned.

THURSDAY, JANUARY 28, 1836.

Mr. Benjamin Allen, a member of the Senate, from the counties of Henry and Oldham, appeared, produced a certificate of his election, and of his having taken the several oaths prescribed by the Constitution of the United States, and the Constitution and laws of this State, and took his seat.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act to improve the navigation of Big Sandy river and Panther creek.

An act to reduce the number of justices of the peace in Bullitt county.

An act to incorporate the Russellville Male Academy.

An act for the benefit of the Russellville Male Academy.

An act to incorporate the New Castle Female Academy, and for other purposes.

An act to amend an act, entitled, an act regulating the prices of taking up boats and crafts on the Ohio river.

An act for the benefit of Keziah Branham.

An act to change the place of elections in the Lower Blue Lick precinct in Nicholas county.

An act to authorize the Pulaski county court to construct a gate on the road from Somerset to Monticello.

An act for the benefit of the committee of David Ford.

An act for the benefit of Thomas B. Megowan jailer of Fayette county.

And an act to appropriate a sum of money to build a Seminary of learning at Bradenburg.

And that they had passed bills from the Senate, of the following titles, viz:

An act for benefit of Yelverton D. Booker.

An act for the benefit of Philip Graves, of Boone county.

An act to change the time of the meeting of the General Assembly.

And an act to establish three additional election precincts in the counties of Estill and Perry,

With an amendment to the latter bill.

Which amendment was twice read and concurred in.

Mr. Guthrie presented the petition of John B. Hundley, surveyor of Jefferson county, praying for compensation for making alphabets to certain books in his office.

Which was received and referred to the committee of Courts of Justice.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of the heirs of Benjamin Long.

And an act to establish the town of Bryantsville in Garrard county.

Reported the same without amendment.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Guthrie, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to authorize the purchase of scientific books for the use of the Engineer Department of the State.

An act for the benefit of John and Peggy Garvin, and their children, and of John Coleman's representatives.

And an act authorizing the sale of certain lands belonging to the infant heirs of Samuel Bradley, deceased.

Reported the same with amendments to each,

Which were twice read and concurred in.

Ordered, That the said bills be read a third time as amended.

The rule of the Senate, constitutional provision, and third reading of the said bills, having been dispensed with,

Resolved, That the said bills, as amended, do pass, and that the titles of the second and third, be as aforesaid; and that the title of the first be an act to authorize the purchase of scientific books for the use of the Public Library.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred a bill from the House of Representatives, entitled,

An act for the benefit of George Wymore.

Reported the same with the opinion of the committee that it ought not to pass.

The question being taken on reading the said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. Guthrie, from the same committee, to whom was referred a bill for the benefit of Thomas C. Davis,

Reported the same with an amendment,

Which was twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Guthrie, from the same committee to whom was referred the petition of sundry citizens of Maysville praying that the charter of said city may be amended, presented by Mr. Parker on the 18th instant, reported the following resolution thereon, viz:

Resolved, That the said petition be rejected,

Which was twice read and concurred in.

On the motion of Mr. Parker, leave was given to withdraw the said petition.

Mr. Daviess, from the committee of Propositions and Grievances, made the following report, viz:

The committee of Propositions and Grievances, to whom was referred the petition of sundry citizens of Mercer and Lincoln counties, praying for the erection of a new county out of parts thereof, have, according to order, had the same under consideration, and have come to the following resolution thereon, to-wit:

Resolved, That the said petition be rejected.

Which was twice read and concurred in.

On the motion of Mr. Daviess, leave was given to withdraw the said petition.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill from the House of Representatives, entitled,

An act to amend the charter of the Louisville turnpike company,

Reported the same with amendments,

Which were twice read and concurred in.

Ordered, That the said bill be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Metcalfe, from the same committee to whom was referred the following bills, viz:

A bill to amend an act entitled, an act to establish a road from the mouth of Salt river, to intersect the road from Brandenburg to Bowlinggreen.

A bill to incorporate a company to construct a turnpike road from Versailles by Christopher's landing, to intersect the road from Harrodsburg to Frankfort, in a direction to Louisville.

And a bill to incorporate a company to turnpike a road from Stanford, by way of Somerset and Monticello to the Tennessee State line in a direction to Huntsville.

Reported the same, the first and second without amendment, and the third with an amendment,

Which was twice read and concurred in.

Ordered, That the said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third read-

ing of the said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles of the first and second, be as aforesaid, and that the title of the third be amended to read, an act to incorporate the Cumberland river turnpike road company.

On the motion of Mr. Hanson, the committee of Finance was discharged from the duty of preparing and bringing in a bill for the benefit of the witnesses summoned by the committee of Internal Improvements on the petition of Lewis Grigsby.

Mr. Hanson, from the committee of Finance, to whom was referred, a bill from the House of Representatives, entitled, an act for the benefit of the jailer of Jessamine county.

Reported the same without amendment,

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Morehead read and laid on the table a joint resolution to appoint committees to examine the Auditor's, Treasurer's and Register's Offices.

The rule of the Senate having been dispensed, the said resolution was taken up, twice read, and adopted.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Smith—1. A bill authorizing the trustees of the town of Mount Vernon, in Rockcastle county, to tax shows within one quarter of a mile of the limits of said town.

On the motion of Mr. Parker—2. A bill concerning the public roads in Mason county.

On the motion of Mr. Southgate—3. A bill for the benefit of Elizabeth Graham.

And on the motion of Mr. Woolley—4. A bill for the benefit of A. B. Morton and others.

Messrs. Smith, Lusk and Gilbert, were appointed a committee to prepare and bring in the first bill; Messrs. Parker, Hanson and Metcalfe, the second; Messrs. Southgate, Patterson and Metcalfe, the third, and the committee of Courts of Justice was directed to prepare and bring in the fourth.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Guthrie, from the committee of Courts of Justice—1. A bill to amend the charter of the city of Maysville.

2. A bill for the benefit of John and Mary Jones.

3. A bill for the benefit of the devisees of Thomas Courtney, deceased.

By Mr. Metcalfe, from the committee of Internal Improve-

ments—4. A bill defining the powers and duties of the Board of Internal Improvements, and for other purposes.

By Mr. Willis—5. A bill to authorize the Board Internal of Improvement to have the turnpike road on Muldrow's Hill examined by an Engineer, and report thereon his opinion of the value of said road, and for other purposes.

6. A bill to appoint commissioners to run and mark the line between Marion and Washington counties, and for other purposes.

And by Mr. Southgate—7. A bill to incorporate the Newport, Falmouth, Cynthiana, Paris and Winchester, turnpike road company.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the first, fourth, fifth and seventh bills, having been dispensed with, the first, was ordered to be engrossed and read a third time to-morrow; the fourth, was committed to the committee of the whole house on the State of the Commonwealth, for Tuesday next, and the fifth and seventh, were referred to the committee of Internal Improvements.

The rule of the Senate, constitutional provision, and second and third readings of the second, third and sixth bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the public printer print one hundred and fifty copies of the fourth bill for the use of the General Assembly.

Mr. Guthrie, having obtained leave, reported a bill to amend the charter of the Bank of Kentucky,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Courts of Justice.

Mr. Murrell, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act concerning public roads and ferries.

An act for the benefit of the Whitley Seminary.

An act to establish the town of West Liberty, in Morgan county.

An act to establish the town of Bradfordsville, and appoint trustees to the town of Creelsburg.

An act for the benefit of the sheriff of Colloway county.

An act for the benefit of the sheriff of Grant county.

And an act to reduce the number of justices of the peace in Butler county.

And had found the same truly enrolled, and that the said bills had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

A bill from the House of Representatives, entitled, an act to appropriate a sum of money to build a Seminary of learning, at Brandenburg,

Was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Finance.

The consideration of a bill to provide a sinking fund for the payment of the interest on loans for Internal Improvements, and for the final redemption of the principal of said loans, was made the order of the day for Wednesday next.

An engrossed bill entitled, an act to repeal an act, entitled, an act to amend the law prohibiting the importation of slaves into this State, approved February 2d, 1833.

Was read the third time.

Mr. Guthrie moved to commit the said bill to the committee of Courts of Justice.

Mr. Willis moved that the committee be instructed not to amend the first section of the said bill.

The question was taken on the motion of Mr. Guthrie, and it was decided in the affirmative.

The question was then taken on the motion of Mr. Willis, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Willis and Jessup, were as follows, viz:

YEAS—Messrs. Allen, Gilbert, James, Jessup, Lyon, McHenry, May, Metcalfe, Sisk, Smith, Watkins, Willis and Woolley—13.

NAYS—MR. SPEAKER, Messrs. Boyd, Bramlette, Carter, Daviess, Grider, Guthrie, Hanson, Harreld, Lusk, Miller, Morehead, Murrell, Parker, Patterson, Roberts, Southgate, Thornton, Wingate and S. Young—20.

And then the Senate adjourned.

FRIDAY, JANUARY 29, 1836.

The Speaker laid before the Senate, the following letter and report of the Auditor of Public Accounts, viz:

STATE OF KENTUCKY, }
Frankfort, Auditor's Office, Jan. 29, 1836. }

HON. WM. B. BLACKBURN,
Speaker of the Senate,

Sir—Do me the kindness to lay the enclosed information before the Senate, over which you have the honor to preside—a statement called for, by resolution adopted the 25th instant. And oblige your most obedient humble servant,

BEN. SELBY, *Aud. Pub. Accounts.*

[*See annexed folding sheet.*]

Mr. Daviess presented the petition of sundry citizens of Mercer and Lincoln counties, praying for the passage of a law incorporating the Union Agricultural Society.

Mr. Watkins presented the petition of sundry citizens, praying for the erection of a bridge across Rough creek, on the Bowling-green and Cloverport State road, and also for a slope at Green's mill dam at the same place.

Which petitions were received, the former was referred to a committee of Messrs. Daviess, Lusk and Smith, and the latter to the committee of Internal Improvements.

Mr. Roberts presented the petition of John U. Waring, praying for a change of venue from the Franklin circuit court, in which he stands indicted for the murder S. Q. Richardson, to the Woodford, or some other circuit court, together with a letter from said Waring to the Hon. Tho. P. Wilson, referred to in said petition.

On the motion of Mr. Roberts, leave was given to withdraw the said petition and letter.

Mr. Murrell, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act to apply the fines and forfeitures of Mason county, to the lessening of the county levy.

An act for the benefit Alfred Owens and Calloway Mullens.

An act for the benefit of Johh Owens, of Clarke county.

An act to amend an act to incorporate the Carlisle, Flemingsburg and Greenupsburg turnpike road company.

An act to establish and improve a state road from Landing,

time.

The rule of the Senate, constitutional provision, and second and third readings of the first and second bills, and the second reading of the third bill, having been dispensed with, the third was referred to the committee of Courts of Justice; the first and second being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

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A STATEMENT

[To face page 214, S. Journal.

Showing the amount of Revenue receivable by Sheriffs and Clerks of each county, during the year ending on and including the 10th October, 1835; as also, the expenditures of each county, together with an exhibition of the nett Revenue each county pays, or amount of expenditure exceeding Revenue.

REVENUE CHARGEABLE TO SHERIFFS.						DO. TO CLERKS.	Total Rev'n. chargeable to Sheriffs and Clerks.	Amount of Expendit'rs.	NET REVENUE.	Expenses ex-ceeding Rev-enu.	No. of Vo-ers.
COUNTIES.	Valuation of Property.	Tax on Property.	Auditor's additional List.	Clerks' additional List.	Total Rev'n. chargeable to Sheriffs	Tax on Law Process.					
Adair,	879,162	879 16	4 15		883 31	145 35	1,028 66	729 06	299 60		1,187
Allen,	640,844	640 84	5 05		645 89	199 03	844 92	393 70	451 22		983
Anderson,	569,890	569 89	17 09		586 98	180 50	767 48	540 71	226 77		758
Boone,	2,050,224	2,050 22	24 09		2,074 31	190 84	2,265 15	547 57	1,717 58		1,377
Bracken,	849,500	849 50	13 76		863 26	214 23	1,077 49	260 11	817 38		1,055
Bourbon,	6,684,558	6,684 55	12 20	97 13	6,793 88	976 13	7,770 01	1,324 69	6,445 32		1,742
Butler,	294,627	294 63		3 40	298 03	66 50	364 53	277 58	86 95		522
Barren,	2,033,851	2,033 86	51 71		2,085 57	398 05	2,483 62	739 73	1,743 89		2,137
Ballitt,	986,870	986 87	20 09	17 85	1,024 81	185 97	1,210 78	346 29	864 49		941
Breckinridge,	1,076,329	1,076 33	5 97	3 68	1,085 98	276 46	1,362 44	711 32	651 12		1,176
Bath,	1,845,443	1,845 45	19 07		1,864 52	275 50	2,140 02	460 58	1,679 44		1,079
Chey,	418,334	418 34	12 16		430 50	111 63	542 13	282 36	259 77		720
Clay,	448,790	448 79			448 79	54 53	503 32	875 20		371 88	622
Caldwell,	1,226,033	1,226 04	16 07	8 92	1,251 03	228 72	1,479 75	442 01	1,037 74		1,350
Cumberland,	1,048,985	1,048 99	8 56		1,057 55	163 88	1,231 43	612 41	609 02		1,406
Campbell,	1,777,630	1,777 63	67 30	140 77	1,985 70	353 88	2,339 58	1,471 96	867 62		2,221
Christian,	3,023,042	3,023 05	3 76	13 32	3,040 13	464 08	3,504 21	823 33	2,680 88		1,664
Clarke,	3,759,369	3,759 37	2 14	4 91	3,766 42	528 68	4,295 10	944 71	3,350 39		1,564
Calloway,	634,484	634 49	2 03	2 11	638 63	187 63	826 26	964 27		138 01	1,383
Daviess,	1,019,314	1,019 32	7 45		1,026 77	159 13	1,185 90	773 57	412 33		915
Edmonson,	252,650	252 65	1 31	1 25	255 21	61 05	316 26	141 79	174 47		439
Estill,	453,400	453 40	9 55		462 95	145 83	608 78	781 01		172 23	858
Fayette,	9,058,851	9,058 86	9 97		9,068 83	935 25	10,004 08	2,620 52	7,383 56		1,685
Floyd,	301,161	301 17		2 90	304 07	98 80	402 87	426 08		23 21	784
Fleming,	2,314,494	2,314 50	6 77	11 25	2,332 52	584 25	2,916 77	941 81	1,994 96		1,944
Franklin,	2,110,589	2,110 59	14 50	181 69	2,306 78	463 13	2,769 91	1,556 57	1,213 34		1,055
Gallatin,	1,157,600	1,157 60	27 52		1,185 12	252 22	1,437 34	360 03	1,077 31		1,246
Greenup,	824,388	824 39		33 41	857 80	211 86	1,069 66	563 40	506 26		1,172
Green,	1,835,968	1,835 97	31 72	110 41	1,978 10	298 30	2,276 40	1,205 99	1,070 41		1,915
Grant,	392,933	392 94	10 65		403 59	111 16	514 75	248 16	266 59		579
Graves,	410,567	410 57	8 87	92	420 36	125 87	546 23	503 57	42 66		880
Grayson,	315,595	315 60	4 08		319 68	106 40	426 08	402 56	23 52		679
Garrard,	2,251,865	2,251 87		14 37	2,266 24	227 53	2,493 77	720 54	1,773 23		1,483
Henry,	2,077,604	2,077 61	29 92	2 49	2,110 02	357 33	2,467 35	894 54	1,572 81		1,549
Hart,	633,379	633 38	6 71		640 09	186 20	826 29	276 35	549 94		842
Harlan,	196,983	196 99			196 99	33 26	230 25	985 21		754 96	484
Henderson,	1,414,045	1,414 05	14 28	5 35	1,433 68	229 90	1,663 58	322 24	1,341 34		986
Hopkins,	886,489	886 49	3 94	4 02	894 45	203 78	1,098 23	639 01	459 22		1,156
Hickman,	761,824	761 83	10 48	11 27	783 58	209 96	993 54	418 92	574 62		1,121
Harrison,	2,758,834	2,758 84	31 36		2,790 20	484 26	3,274 46	641 57	2,632 98		1,810
Hardin,	2,025,466	2,025 47	13 59		2,039 06	394 25	2,433 31	644 60	1,788 71		2,276
Hancock,	268,308	268 31	1 64	22 82	292 77	72 68	365 45	170 57	194 88		310
Jessamine,	2,415,542	2,415 55		2 20	2,417 75	367 18	2,784 93	1,148 81	1,636 12		1,150
Jefferson,	1,129,693	1,129 70	339 37		11,369 07	1,653 90	13,022 97	7,948 90	5,074 07		1,895
Knox,	405,494	405 50			405 50	83 55	489 05	752 72		263 67	689
Lewis,	630,938	630 94	2 99		633 93	189 52	823 45	387 73	435 72		992
Lincoln,	2,604,766	2,604 77	29 42	4 44	2,638 63	400 90	3,039 53	831 56	2,207 97		1,348
Laurel,	161,761	161 77			161 77	50 35	212 12	131 67	80 45		458
Lawrence,	865,725	865 73			865 73	99 28	965 01	344 79	20 22		780
Livingston,	869,694	869 70	97		870 67	288 80	1,159 47	468 51	690 96		1,038
Logan,	2,724,991	2,724 99	24 12	10 35	2,759 46	386 18	3,145 64	1,065 58	2,080 06		1,676
Muhlenburg,	691,347	691 35	2 88	30 94	725 17	150 10	875 27	439 48	435 79		962
Madison,	3,877,719	3,877 72	29 95		3,907 67	665 95	4,573 62	1,395 83	3,177 79		2,112
Montgomery,	2,510,272	2,510 28	35 94	22 34	2,568 56	388 08	2,956 64	971 83	1,984 81		1,333
Mercer,	3,701,928	3,701 92	26 08		3,728 00	569 44	4,297 44	1,388 70	2,908 74		2,374
Morgan,	242,622	242 63			242 63	67 93	310 56	393 59		83 03	570
Mason,	4,250,889	4,250 89	49 86		4,300 75	677 35	4,978 10	1,093 02	3,885 08		2,149
Monroe,	551,303	551 31	3 29		554 60	145 36	699 96	456 26	243 70		833
Meade,	783,578	783 58	49 93	12 84	846 35	191 43	1,037 78	379 76	658 02		673
McCracken,	261,996	262 00		18 40	280 40	114 00	394 40	416 08		21 68	525
Marion,	1,426,022	1,426 03		6 08	1,432 11	168 63	1,600 74	336 68	1,264 06		1,378
Nicholas,	1,590,550	1,590 55	29 56	9 10	1,629 21	292 61	1,921 82	866 14	1,055 68		1,274
Nelson,	3,214,739	3,214 74	7 93	14 02	3,236 69	432 37	3,669 06	1,033 77	2,635 29		1,774
Ohio,	487,978	487 98	7 16		495 14	161 50	656 64	546 58	110 06		905
Owen,	793,106	793 11	7 87	4 90	805 88	51 30	857 18	393 49	463 69		1,008
Oldham,	1,536,005	1,536 01	4 52	84	1,541 37	340 51	1,881 88	405 54	1,476 34		1,277
Pulaski,	885,427	885 43			885 43	191 43	1,076 86	732 57	344 29		1,535
Perry,	160,007	160 01			160 01	71 25	231 26	1,089 30		858 44	530
Pendleton,	462,663	462 67			462 67	148 20	610 87	360 08	250 79		625
Pike,	175,240	175 24	2 63		175 24	59 85	235 09	492 71		257 62	457
Rockcastle,	302,819	302 82			305 45	100 70	406 15	492 29		86 14	548
Russell,	346,366	346 37	2 96		349 33	82 66	431 99	569 56		137 57	694
Simpson,	815,112	815 12	2 52	6 34	823 98	236 55	1,060 53	334 70	725 83		839
Shelby,	5,257,990	5,257 99	27 34		5,285 33	850 25	6,135 58	1,015 06	5,120 52		2,392
Scott,	3,885,221	3,885 23	8 12		3,893 35	496 86	4,390 21	1,774 03	2,616 18		1,615
Spencer,	1,424,176	1,424 18	10 40	9 52	1,444 10	212 80	1,656 90	107 59	1,549 31		951
Todd,	1,806,264	1,806 27	1 70	42 16	1,850 13	316 82	2,166 95	352 48	1,814 47		1,073
Trigg,	978,717	978 72	11 28	28 26	1,018 26	254 13	1,272 39	287 73	984 66		943
Union,	837,965	837 97	53	16 92	855 42	213 75	1,069 17	371 29	697 88		796
Wayne,	775,094	775 10	98		776 08	180 51	956 59	497 10	459 49		1,192
Woodford,	3,761,221	3,761 23	215 19		3,976 42		3,976 42	533 74	3,442 68		1,185
Warren,	1,928,647	1,928 65	11 45	7 06	1,947 25	353 30	2,300 55	609 42	1,691 13		1,530
Whitley,	215,232	215 24			215 24	92 63	307 87	712 41		404 54	604
Washington,	1,486,718	1,486 72	10 43		1,497 15	310 18	1,817 33	867 73	939 60		1,325
Totals,	\$136,503,809	136,504 11	1,486 97	940 95	138,932 03	23,262 08	162,194 11	63,783 01	101,983 68	3,572 58	98,062

City of Louisville,
City of Lexington,
Bath county, an additional number of white males, over 21 years old,

Total,

BEN. SELBY, Auditor of Public Accounts.

102,167

in Boone county, to intersect the Covington and Lexington turnpike road.

An act to amend an act entitled, an act to incorporate the Shepherdsville and Louisville turnpike company, and for other purposes, approved December 23, 1831.

And an act to establish a State road from Morganfield in Union county, to Smithland in Livingston county,

And had found the same truly enrolled, that the said bills had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

On the motion Mr. Guthrie, the committee of Courts of Justice was discharged from the further consideration of a bill from the House of Representatives, entitled, an act to repeal the first, second and third sections of an act to improve the navigation of Salt river, and for other purposes.

And the said bill was referred to the committee of Internal Improvements.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred a bill in relation to the Public Arms,

Reported the same with an amendment.

The said bill and amendment was laid on the table.

Mr. Guthrie, from the same committee to whom was referred a bill to establish the College of Physicians of the city of Lexington,

Reported the same with an amendment,

Which was twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time to-morrow.

Mr. Guthrie, from the same committee, reported the following bills, viz:

1. A bill for benefit of Martha and Lucius D. Gilbert.
2. A bill for the benefit of the Surveyor of Jefferson county; and
3. A bill repealing all laws requiring bail in civil actions, and authorizing attachments on civil process.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the first and second bills, and the second reading of the third bill, having been dispensed with, the third was referred to the committee of Courts of Justice; the first and second being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act for the benefit of Reuben Elliott.

An act to improve the navigation of Little river, and for other purposes.

An act for the benefit of the town of Flemingsburg.

An act to authorize the Board of Internal Improvement to have the turnpike road on Muldrow's hill examined by an Engineer, and report thereon his opinion of the value of said road, and for other purposes.

An act to change the second constable's district in Henry county.

An act to change the name of Hendronsville, in the county of Henry.

An act to provide for cleaning and repairing the Public Arms in the Arsenal.

An act to incorporate and extend the limits of the town of London.

An act repealing the act of 1834, establishing an election precinct in Livingston county.

An act for the benefit of the heirs and representatives of E. Willett, deceased.

An act for the benefit of Robert J. Terry.

An act to provide for transcribing certain books in the office of the surveyor of Muhlenburg county.

An act to authorize John Anderson, to build gates across a certain road in Montgomery county.

An act to extend the limits of the town of Muhlenburg.

An act to amend an act, entitled, an act to enlarge the boundaries of Georgetown, and for other purposes, approved February 11th, 1835.

And an act to establish the town of Edmonton, in Barren county.

And that they had adopted resolutions for the benefit of the commissioned officers of the United States Army, who served in the last war with Great Britain.

And that they had passed bills from the Senate, of the following titles, viz:

An act to repeal the first section of an act, entitled, an act to amend an act establishing a Female Academy in the town of Harrodsburg, and reviving the third section of the act thereby repealed.

An act for the benefit of the administrator and heirs of Joseph Haydock.

An act for the benefit of the heirs of Samuel Lovejoy, dec'd.

An act concerning the town of Elizabeth, in the county of Hardin.

An act to regulate the commencement of the Boone and Grant circuit courts.

An act concerning the number of justices of the peace for the county of Hardin.

An act to amend an act, entitled, an act to incorporate the Newport Manufacturing company.

An act for the benefit of Judith P. Thornton and her children.

An act authorizing the county court of Rockcastle county, to sell a part of the public ground in the town of Mount Vernon.

An act providing for a change of venue in the case of Gustavus A. Brown.

An act for the benefit of the heirs of Benjamin Mills, deceased.

And an act for the benefit of John and Lucy Vining.

With amendments to the two latter bills.

The said bill entitled, an act to provide for cleaning and repairing the Public Arms in the Arsenal,

Was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was amended and ordered to be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill as amended, do pass, and that the title thereof be as aforesaid.

Mr. Guthrie, from the committee of Courts of Justice, reported a bill to amend the charter of the Bank of Kentucky,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with,

Mr. Daviess moved to amend the said bill by striking out the section, which is as follows, viz:

That so much of the eighteenth section of said act as prohibits the President and Directors of said Bank and branches to become bound as surety or accommodation endorsers on bills of exchange, negotiated at said Bank and branches, shall be, and the same is hereby repealed.

The question being taken on the adoption of the said amendment, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Daviess and Willis, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Allen, Bramlette, Carter, Daviess, Gilbert, Grider, Hanson, Harreld, James, Jessup, McHenry, May, Metcalfe, Miller, Morehead, Murrell, Parker, Roberts, Sisk, Smith, Southgate, Thornton, Willis and Wingate—24.

NAYS—Messrs. Boyd, Guthrie, Lyon, Watkins, Woolley and S. Young—6.

The said bill was further amended, and ordered to be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title be amended to read, an act to amend the charters of the Bank of Kentucky, and the Northern Bank of Kentucky.

Mr. Guthrie, from the same committee, to whom was referred a bill to establish the Mechanics' Savings Institution of Louisville,

Reported the same with an amendment,

Which was twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time to-morrow.

Mr. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives entitled, an act for the benefit of Rebecca Dye.

Reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Metcalfe, the committee of Internal Improvements was discharged from the further consideration of the petition for a road from Stanford to Barboursville and Williamsburg.

On the motion of Mr. McHenry, leave was given to withdraw the said petition.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred the following bills, viz:

A bill to incorporate a company to construct a turnpike road from Elizabethtown to Greensburg, by the way of Hodgenville and Summersville.

And a bill to incorporate the Newport, Falmouth, Cynthiana, Paris and Winchester turnpike road,

Reported the same, with an amendment to the former bill,

Which was twice read and concurred in.

Ordered, That the said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hanson, from the committee of Finance to whom was referred a bill for the benefit of Nathaniel Reynolds,

Reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the same committee, to whom was referred a bill for an appropriation to erect a Seminary of learning in the town of Brandenburg, Meade county,

Reported the same without amendment, with the opinion of the committee that it ought to pass.

And then the Senate adjourned.

SATURDAY, JANUARY 30, 1836.

On the motion of Mr. Guthrie, a message was sent to the House of Representatives, requesting leave to withdraw the report of the disagreement of the Senate to a bill from that House, entitled, an act for the benefit of George Wymore.

After a short time, the said bill was returned to the Senate.

Mr. Murrell, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act providing for a change of venue in the case of Gustavus A. Brown.

An act to incorporate the Dock Company at Covington.

An act for the benefit of John Blue, late sheriff of Union county.

An act to change the time of holding the February term of the Christian circuit court.

An act to declare Sexton's creek, in Clay county, a navigable stream.

An act concerning public roads and ferries.

An act concerning the Hartford Bridge Company.

An act for the benefit of the heirs of H. G. Wintersmith, deceased.

An act to authorize Preston Owen to erect gates across a certain road in Daviess county.

An act to amend an act to incorporate the Louisville Marine and Fire Insurance Company.

An act for the benefit of the administrator and heirs of James Seeders, deceased.

And an act supplemental to an act, entitled, an act to incorporate the Richmond and Lexington turnpike road company.

And had found the same truly enrolled, the said bills had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act for the divorce of Elizabeth Whitaker.

And an act for the benefit of Zellica Clow.

And that they had passed bills of the following titles, viz:

An act for the divorce of Ruth Hall.

An act for the benefit Hannah Hunter.

An act for the benefit of William Weeks.

An act for the benefit of Hezekiah and Fanny Duzan.

And an act for the benefit of Frances Taylor.

Leave was given to bring in the following bills, viz:

On the motion of Mr. S. Young—1. A bill supplemental to an act entitled, an act to incorporate a company to construct a turnpike road from Taylorsville in Spencer county, to intersect the turnpike from Bardstown to Louisville.

On the motion of Mr. Woolley—2. A bill to incorporate the McChord's church and trustees; and 3. A bill for the benefit of Mary Overton.

On the motion of Mr. Roberts—4. A bill to incorporate a company to turnpike the road leading from Elizabethtown to Bardstown, and for other purposes.

On the motion of Mr. James—5. A bill to amend the law authorizing motions against justices of the peace for issuing illegal fee bills.

And on the motion of Mr. McHenry—6. A bill for the benefit of Sarah Woods.

Messrs. S. Young, Metcalfe, Smith and May, were appointed a committee to prepare and bring in the first bill; Messrs. Roberts, S. Young and Guthrie the fourth; Messrs. McHenry, Jessup and Parker, the sixth; the committee of Courts of Justice was directed to prepare and bring in the second and fifth, and the committee of Religion the third.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Guthrie, from the committee of Courts of Justice—A bill for the benefit of Eliza Maxfield.

A bill for the benefit of the children of John Ball.

By Mr. Daviess—A bill incorporating the Union Agricultural Society.

By Mr. Smith—A bill authorizing the trustees of Mount Vernon, in Rockcastle county, to tax shows within one quarter of a mile of the limits of said town.

By Mr. Southgate—A bill for the benefit of Elizabeth Graham.

And by Mr. Parker—A bill concerning the public roads in Mason county.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills, having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported from the committees appointed to prepare and bring in the same, viz:

By Mr. Wingate—1. A bill to incorporate a company to construct a turnpike road from Frankfort to Ghent, by way of Owenton and New Liberty; and to incorporate a company to construct a turnpike road from Georgetown to Warsaw, by way of Stamping Ground and Owenton, and

By Mr. McDonald—2. A bill to incorporate a company to construct a turnpike road from Springfield to Maxville, and thence to intersect the Crab Orchard road at Harrodsburg.

Which bills were each read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, they were referred to the committee of Internal Improvements.

Mr. Willis having obtained leave, reported a bill to regulate the service of process in certain cases.

And Mr. Guthrie having obtained leave, reported a bill prohibiting the making and circulating drafts, checks or orders as money in this Commonwealth.

And a bill incorporating the South-Western Louisville turnpike company.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, the first and third were referred to the committee of Internal Improvements, and the second to the committee of Courts of Justice.

Mr. Morehead read and laid on the table the following resolution, viz.

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Board of Internal Improvements be requested to furnish a State Engineer to view and report the practicability and expediency of improving Muddy river, from its mouth up as far as it is susceptible of improvement, and report his opinion on the probable cost of said improvement to the Board of Internal Improvement.

The rule of Senate having been dispensed with, the said resolution was taken up, twice read and adopted.

On the motion of Mr. Smith,

Resolved, That the committee on Courts of Justice, enquire whether it is not expedient to provide by law for the payment of witnesses out of the public treasury, who may be summoned by paupers and compelled to attend court either in or out of the county.

Resolved further, That said committee enquire into the expediency of providing for the pay of witnesses summoned by the Commonwealth, in any suit brought by the Commonwealth, upon any bond for the failure to comply with a contract under any act of Assembly taken for the benefit of the Commonwealth.

The consideration of the preamble and resolutions in relation to the revenue arising from the sale of public lands, from the House of Representatives, was postponed and made the first business in the orders of the day for Monday next.

The Senate resumed the consideration of a bill for an appropriation to erect a Seminary of learning in the town of Brandenburg, Meade county.

Mr. Smith moved an amendment thereto.

Mr. Parker moved to lay the said bill and amendment on the table until the first day of June next.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Parker and James, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Bush, Carter, Gilbert, Guthrie, James, Parker, Willis, Wingate and S. Young—10.

NAYS—Messrs. Boyd, Bramlette, Daviess, Grider, Hanson, Harreld, Jessup, Lusk, Lyon, McDonald, McHenry, May, Miller, Morehead, Murrell, Patterson, Roberts, Sisk, Smith, Southgate, Thornton, Watkins and Woolley—23.

The said bill was then amended, and on the motion of Mr. Boyd, laid on the table until the first day of June next.

The amendment proposed by the House of Representatives to a bill from the Senate, entitled, an act for the benefit of John and

Lucy Vining, was twice read and referred to the committee of Courts of Justice.

The amendments proposed by the House of Representatives to a bill from the Senate entitled, an act for the benefit of the heirs of Benjamin Mills, deceased, were twice read and concurred in.

An engrossed bill, entitled, an act to amend the charter of the city of Maysville, was read the third time.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives of the following titles, viz:

1. An act to improve the navigation of Big Sandy river and Panther creek.
2. An act to improve the navigation of Little river, and for other purposes.
3. An act to authorize the Board of Internal Improvements to have the turnpike road on Muldrow's hill examined by an Engineer, and a report thereon of his opinion of the value of said road, and for other purposes.
4. An act to reduce the number of justices of the peace in Bullitt county.
5. An act to amend an act, entitled, an act regulating the prices of taking up boats and crafts on the Ohio river.
9. An act for the benefit of Reuben Elliott.
7. An act for the benefit of the town of Flemingsburg.
8. An act for the benefit of the heirs and representatives of E. Willett, deceased.
9. An act to incorporate the Russellville Male Academy.
10. An act for the benefit of the Russellville Male Academy.
11. An act to incorporate the New Castle Female Academy, and for other purposes.
12. An act for the benefit of Keziah Branham.
13. An act for the benefit of the committee of David Ford.
14. An act for the benefit of Thomas B. Megowan, jailer of Fayette county.
15. An act to authorize the Pulaski county court to construct a gate across the road from Somerset to Monticello.
16. An act to authorize John S. Anderson, to build gates across a certain road in Montgomery county.
17. An act to change the place of elections in the Lower Blue Lick precinct in Nicholas county.
18. And an act to incorporate and extend the limits of the town of London.

Were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second

reading of the said bills having been dispensed with, they were referred the first, second and third, to the committee of Internal Improvements; the fourth, fifth, sixth, seventh and eighth, to the committee of Courts of Justice; the ninth, tenth and eleventh, to the committee of Education; the twelfth, thirteenth and fourteenth, to the committee of Finance; the fifteenth and sixteenth, to the committee of Propositions and Grievances; the seventeenth, to a committee of Messrs. Metcalfe, Thornton and Patterson, and the eighteenth, to a committee of Messrs. Miller, Gilbert and Bramlette.

Bills from the House of Representatives of the following titles, viz:

An act to change the second constable's district in Henry county.

An act to change the name of the town of Hendronsville, in the county of Henry.

An act repealing the act of 1834, establishing an election precinct in Livingston county.

An act for the benefit of Robert G. Terry.

An act to provide for transcribing certain books in the office of the surveyor of Muhlenburg county, and for other purposes.

And an act to extend the limits of the town of Brandenburg.

Were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

And then the Senate adjourned.

MONDAY, FEBRUARY 1, 1836.

A message was received from the House of Representatives, announcing the passage of bills of the following titles, viz:

An act to authorize the subscription of stock in the Louisville Bank of Kentucky.

An act to incorporate the Carlisle, Flat Rock, North Middletown and Winchester turnpike road company.

An act to incorporate the Paris, North Middletown and Mountsterling turnpike road company.

An act to authorize the stockholders of the Covington and Lex-

ington turnpike road company to vote whether Dry creek Post Office shall, or shall not, be a point in said road.

An act to amend the charter of the Shepherdsville and Elizabethtown turnpike road company.

And an act to amend the Owingsville and Big Sandy turnpike road company.

On the motion of Mr. Roberts, a message was sent to the House of Representatives, requesting leave to withdraw the report of the passage of a bill from that House, entitled, an act to amend the charter of the Louisville turnpike company, with amendments.

After a short time, the said bill was returned to the Senate.

On the motion of Mr. Roberts, the vote by which the said bill was passed, was re-considered, and it was referred to the committee of Internal Improvements.

1. Mr. Morehead presented the petition of sundry citizens praying for an appropriation to the Seminary of learning in Logan county.

2. Mr. Boyd presented the petition of the devisees of George Gill, deceased, praying for the passage of a law authorizing a sale of the real estate of the deceased, and a division of the proceeds among the devisees.

3. Mr. Lusk presented the petition of Rachael Scott, and others, praying for the passage of a law, divorcing her from her husband, Joseph Scott.

4. Mr. Guthrie presented the petition of Samuel Schwing, administrator of the estate, and guardian of the infant heirs of Benjamin Cawthorn, deceased, praying for the passage of a law authorizing a sale of a part of the landed estate of the deceased, for the purpose of paying his debts.

5. And Mr. Wingate presented the petition of Eliza Brown, praying for a divorce from her husband, William Brown.

Which petitions were severally received, and the first was referred to the committee of Education; the second, to a committee of Messrs. Boyd, Thornton and Murrell; the third and fifth, to the committee of Religion, and the fourth to the committee of Courts of Justice.

On the motion of Mr. Gilbert, the vote was re-considered, by which a bill to establish the county of Clinton, was rejected.

On the motion of Mr. Willis, the vote was re-considered, by which the amendment proposed by Mr. McHenry to the said bill was rejected.

And the said bill was placed in the orders of the day.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act allowing an additional justice of the peace to the county of Russell.

An act for the benefit of James McGinnis.

And an act allowing Spottswood Wilkinson, to sell an interest in certain real estate, for the devisees of E. P. Wilkinson, deceased.

Reported the same with the opinion of the committee that they ought not to pass.

The question being taken on reading the said bills a third time, it was decided in the negative, and so the said bills was disagreed to.

Mr. Guthrie, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, viz:

1. An act authorizing the jailer to serve process in certain cases.
2. An act to amend the penal laws.
3. An act establishing a town on the lands of Westley Hicks, in the county of Graves.

Reported the same, the first without amendment, and the second and third, with amendments.

Which were twice read and concurred in.

The second was re-committed to the committee of Courts of Justice.

Ordered, That the first and third bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills, the third as amended, do pass, and that the title of the third be amended to read, an act to establish the town of Farmington, in Graves county.

Mr. Guthrie, from the same committee, to whom was referred a bill repealing all laws requiring bail in civil actions, and authorizing attachments on original process,

Reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time.

Mr. Wingate, from the committee of Religion, to whom was referred the petition of Mahulda Cropper, praying for a divorce from her husband, Elisha Cropper, reported the following resolution thereon, viz:

Resolved, That the said petition be rejected.

Which was twice read and concurred in.

Mr. Wingate, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of Aaron Allison.

And an act for the benefit of Susan Threlkeld.

Reported the same with the opinion of the committee that they ought not to pass.

The question being taken on reading the said bills a third time, it was decided in the negative, and so the said bills were disagreed to.

Mr. Wingate, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Susannah Drane,

Reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Miller, from the committee, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate and extend the limits of the town of London,

Reported the same with an amendment,

Which was twice read and concurred in.

Ordered, That the said bill be read a third time as amended.

The rule of the Senate, constitutional provision, and third reading thereof having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title be amended by adding thereto, "and to extend the limits of the town of Richmond."

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Guthrie, from the committee of Courts of Justice—1. A bill to prevent clerks of county courts from acting as Attorneys at law, in the circuit courts of their respective counties.

By Mr. Wingate, from the committee of Religion—2. A bill for the divorce of Virginia Thomas.

By Mr. Metcalfe, from the committee of Internal Improvements—3. A bill to establish and construct a State road from Pikeville, to the Virginia line at the Sounding Gap in the Cumberland mountain.

By Mr. S. Young—4. A bill supplemental to an act entitled, an act to incorporate a company to construct a turnpike road from Taylorsville, in Spencer county, to intersect the turnpike from Bardstown to Louisville.

And by Mr. Parker—5. A bill to establish the town of Dover, in the county of Mason.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the third and fourth bills having been dispensed with, the third was referred to the committee of Internal Improvements, and the fourth to a committee of Messrs. Boyd, S. Young and Guthrie.

The rule of the Senate, constitutional provision, and second and

third readings of the second and fifth bills, having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Murrell, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act for the benefit of the jailer of Jessamine county.

An act for the benefit of the heirs of Benjamin Long.

An act to establish the town of Bryantsville in Garrard county.

And an act for the benefit of Rebecca Dye.

And had found the same truly enrolled, and that the said bills had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

A bill from the House of Representatives, entitled, an act to amend the Owingsville and Big Sandy turnpike road company,

Was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Internal Improvements.

A message was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State, announcing that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to incorporate the Mountsterling and Maysville turnpike road company.

An act for the benefit of the heirs of Willis Morgan, deceased.

An act to establish and improve a state road from Landing, in Boone county, to intersect the Covington and Lexington turnpike road.

An act to amend an act entitled, an act to incorporate the Shepherdsville and Louisville turnpike company, and for other purposes, approved December 23, 1831.

An act for the benefit of John Owens, of Clarke county.

An act to amend an act to incorporate the Carlisle, Flemingsburg and Greenupsburg turnpike road company.

An act to apply the fines and forfeitures of Mason county to the lessening the county levy.

An act for the benefit Alfred Owens and Calloway Mullens.

Approved 29th January, 1836.

An act providing for a change of venue in the case of Gustavus A. Brown.

Approved 1st February, 1836.

A message in writing was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State.

The preamble and resolutions, from the House of Representatives, in relation to the revenue arising from the sale of public lands was twice read as follows, viz:

The Legislature of Kentucky, mindful of her rights as a member of the confederacy, and ever ready to assert and maintain them, feels itself called upon by a sense of duty to the people of Kentucky, to express its opinion on a question of vital importance to her as a State, and to the other members of the confederacy; one which, has for some time attracted the attention of the Congress of the United States, and at this time forms a subject of deliberation in that body.

The vacant and unappropriated land situated in the different States and Territories, is the common property of all the States, held in trust by the Federal Government as a common fund, under the terms of the acts and deeds of cession, and treaties by which they have been acquired. Heretofore they have been devoted as a sacred pledge to the redemption of the national debt by the authority of the General Government; to which pledge the States felt themselves bound by every consideration of patriotism and devotion to the prosperity of the Union to yield their free assent; and not until the payment of that debt had been completed, did the State of Kentucky feel herself justified in demanding, as a matter of right, of the Congress of the United States, a faithful and honest compliance with the conditions upon which the public domain had been ceded to the States. These conditions are all in the same language, in substance, declare,—“that they shall be “considered as a common fund, for the use and benefit of such of “the United States, as have become, or shall become, members of “the confederation or federal alliance, (including the States making “the cession,) according to their usual respective proportions in “the general charge and expenditure, and shall be faithfully and “*bona fide* disposed of for that purpose, and for no other use or “purpose whatever.”

The proceeds arising from the sales of these lands are no longer required for the payment of the debts of the Union. They are not needed, (having a due regard to the protection of our domestic manufactures,) to pay off the annual or current expenses of the General Government. The revenue arising from impost duties, and from other sources, greatly exceeds the most extravagant estimate of the annual expenditure.

At this time, there appears to be a surplus of more than twenty-

one millions in the treasury—money not needed for national objects. Twelve millions of that sum, are the proceeds of the sales of public lands during the present year. By the year 1837, it is estimated that the surplus will amount to thirty millions. If the whole of this immense revenue was the result of the revenue laws, a wise policy would dictate that an alteration in our tariff should be made, and such a scale of duties should be adopted, that the receipts should not exceed the expenditures, or by some other mode the fund should be distributed among the several States for the purposes of internal improvement and education. Safety to the purity of our institutions demands that it should be speedily withdrawn from its present position, and placed beyond the reach of ambition, or the possible grasp of corruption. Upon the power of Congress to collect a revenue, for the purpose of distribution among the several States, this Legislature would not be understood to express any opinion favorable to its exercise. But upon the power of Congress to direct a distribution, among the States, of the nett proceeds of the public lands, this Legislature entertains no doubt. That Congress is bound to make this disposition from the terms of the grants by which the lands were ceded, is equally unquestionable. In no other mode or manner, so appropriate, so beneficial, can the general government *now* execute the trust, and dispose of the fund which she now holds as the common property of all the States. It becomes, therefore, a duty which the Legislature of Kentucky owes to itself, and the people of the State, whose voice she undertakes to speak, on this occasion, to demand of the Congress of the United States, a distribution of the proceeds arising from the sale of the public lands, among all the States, according to their respective ratio of population. This State does not ask it as a boon, but claims it as a matter of right. Therefore—

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators in Congress be instructed, and our Representatives be requested to sustain, and to vote for the passage of a law providing for the distribution of the proceeds of the public lands among the respective States, according to their respective federal numbers.

Resolved, That the acting Governor of this State be requested to forward to each of our Senators and Representatives in Congress, a copy of the foregoing preamble and resolution.

Mr. Willis moved to amend the said preamble and resolutions, by substituting therefor the following, viz:

Whereas, the resolution adopted by the Senate of the United States, on the 28th day of March, 1834, in the following words, to-wit:

“Resolved, That the President in the late executive proceedings, “in relation to the public revenue, has assumed upon himself au-

"thority and power not conferred by the constitution and laws, but "in derogation of both," is itself a violation of the constitution, and an assumption of power unauthorized by that instrument, and dangerous to the fundamental principles of a free government; the said resolution being vague, uncertain, illegal and unjust; expressing a high criminal charge against an impeachable officer, and is in conflict with the fifth section of the first article of the constitution of the United States. The said charge being made without specification, is irregular, illegal, and unconstitutional, and subversive of the rights of defence, guarantied to every accused officer; and whereas, it is the opinion of this Legislature, that the refusal of the Senate, to permit the protest of the President against the resolution aforesaid of the Senate, to be entered on the journal thereof, was arbitrary and unjust to that officer. Wherefore—

Resolved by the Senate and House of Representatives, That our Senators in Congress be instructed to vote for, and use their best exertions to expunge the said resolution from the journals of the Senate.

Resolved, That the secretary of the Senate forward to the Senators in Congress from this State, copies of this preamble and resolutions.

Mr. Guthrie moved to lay the said preamble and resolutions, and the said amendment, on the table until the first day of June next.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Thornton and Parker, were as follows, viz:

YEAS—Messrs. Allen, Bramlette, Daviess, Gilbert, Guthrie, James, Lyon, McDonald, McHenry, May, Patterson, Sisk, Willis, Wingate and A. Young—15.

NAYS—MR. SPEAKER, Messrs. Boyd, Bush, Carter, Grider, Hanson, Harreld, Jessup, Lusk, Metcalfe, Miller, Morehead, Murrell, Parker, Roberts, Smith, Southgate, Thornton, Watkins, Woolley and S. Young—21.

The question was then taken on the adoption of the amendment moved by Mr. Willis, and it was decided in the negative, and so the said amendment was rejected.

The yeas and nays being required thereon, by Messrs. Willis and Parker, were as follows, viz:

YEAS—Messrs. Allen, Bramlette, Daviess, Gilbert, Guthrie, James, Lyon, McDonald, McHenry, May, Patterson, Sisk, Willis, Wingate and A. Young—15.

NAYS—MR. SPEAKER, Messrs. Boyd, Bush, Carter, Grider,

Hanson, Harreld, Jessup, Lusk, Metcalfe, Miller, Morehead, Murrell, Parker, Roberts, Smith, Southgate, Thornton, Watkins, Woolley and S. Young—21.

And then the Senate adjourned.

TUESDAY, FEBRUARY 2, 1836.

Mr. Jesse Coffey, a member of the Senate from the counties of Adair, Russell and Casey, appeared and took his seat.

Mr. Roberts presented the petition of John U. Waring, praying for a change of venue from the Franklin circuit, where he stands charged for the murder of Samuel Q. Richardson, to the Woodford, or some other circuit court.

Which was received, read, and referred to the committee of Courts of Justice.

Mr. Guthrie, from the committee of Courts of Justice, reported the following bills, viz:

A bill for the benefit of the children of Bernard Vanderen.

And a bill for the benefit of the estate of Benjamin Cawthorn.

Which were each read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act to increase the revenue.

And an act to authorize Judge Kelly, to hold a call court in Marion county,

And had received official information that the Lieutenant and acting Governor, had signed and approved enrolled bills which originated in that House of the following titles, viz:

An act giving to the Livingston circuit court an additional week to its terms.

An act for the benefit of William McCoy.

An act to change the time of holding the Graves and Hickman county courts.

An act to authorize the county court of Logan to appoint an additional constable.

An act for the benefit of Penelope Jones.

An act for the benefit of Beverley Stubblefield.

An act for the benefit of the administrators of G. C. Goodridge.

An act for the benefit of James Branham.

An act for the benefit of Matthew Robertson.

An act for the benefit of William Morris, sheriff of Clay county.

An act to establish an election precinct in Hickman county.

An act to protect the actual and *bona fide* settlers on Islands in the Mississippi river.

An act to allow an additional justice of the peace to the counties of Lawrence and Morgan.

An act to allow an additional justice of the peace to Lincoln county.

An act to allow Waller R. Dupuy and Mary J. Dupuy, his wife, to sell a tract of land lying in Christian county.

An act declaring Collins' Fork of Goose creek in Clay and Knox counties, a navigable stream.

An act to amend an act entitled, an act to improve the navigation of Nolin, approved 22d February, 1834.

An act for the benefit of Thomas J. Kirtley.

An act for the benefit of the holders of Headright Certificates.

An act to reduce the number of justices of the peace in Butler county.

An act to establish the town of West Liberty, in Morgan county.

An act to establish the town of Bradfordsville, and appoint trustees to the town of Creelsburg.

An act for the benefit of the sheriff of Colloway county.

An act for the benefit of the sheriff of Grant county.

An act to change the time of holding the Laurel county court.

An act for the benefit of the Whitley Seminary of learning.

And an act to establish a State road from Morganfield in Union county, to Smithland in Livingston county.

Approved, January 29, 1836.

An act to incorporate the Dock Company at Covington.

An act to change the time of holding the February term of the Christian circuit court.

An act for the benefit of John Blue, late sheriff of Union county.

An act for the benefit of the heirs of H. G. Wintersmith, deceased.

An act concerning the Hartford Bridge Company.

An act to amend an act to incorporate the Louisville Marine and Fire Insurance Company.

An act to authorize Preston Owen to erect gates across a certain road in Daviess county.

An act to declare Sexton's creek, in Clay county, a navigable stream.

An act concerning public roads and ferries.

An act for the benefit of the administrator and heirs of James Seeders, deceased.

And an act supplemental to an act, entitled, an act to incorporate the Richmond and Lexington turnpike road company.

Approved, February 1, 1836.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred the following bills, viz:

A bill prohibiting the making and circulating drafts, checks or orders, as money in this Commonwealth.

And a bill to establish a police court in the city of Louisville, and to amend the charter of said city,

Reported the same, with amendments to each;

Which were twice read and concurred in.

Ordered, That the said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

On the motion of Mr. Guthrie, the vote by which the former bill was passed, was re-considered, and it was re-committed to the committee of Courts of Justice.

Mr. Daviess, from the committee of Propositions and Grievances, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to authorize the Pulaski county court to construct a gate across the road from Somerset to Monticello.

And an act to authorize John S. Anderson, to build gates across a certain road in Montgomery county.

Reported the same without amendment.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

On the motion of Mr. Guthrie, a message was sent to the House of Representatives, requesting leave to withdraw the report of the disagreement of the Senate, to a bill from that House entitled, an act allowing Spottswood Wilkinson, to sell an interest in certain real estate for the devisees of E. P. Wilkinson, deceased.

After a short time, the said bill was returned to the Senate.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred the following bills, viz:

A bill to amend the charter of the Bardstown and Louisville turnpike road company; and

A bill to amend the charter of the Lexington and Ohio Rail Road Company,

Reported the same with amendments to each,

Which were twice read and concurred in.

And the latter bill was further amended.

Ordered, That the said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Metcalfe, from the same committee to whom was referred a bill to establish and construct a State road from Pikeville to the Virginia line, at the Sounding Gap in the Cumberland mountain,

Reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time to-morrow.

Mr. Metcalfe, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the charter of the Louisville turnpike company,

Reported the same with an amendment,

Which was twice read and concurred in.

Ordered, That the said bill be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Metcalfe, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to authorize the Board of Internal Improvement to have the turnpike road on Muldrow's hill examined by an Engineer, and a report thereon of his opinion of the value of said road, and for other purposes,

Reported the same without amendment.

The said bill was amended, and ordered to be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

The Senate resumed the consideration of the preamble and resolutions, from the House of Representatives, in relation to the revenue arising from the sale of public lands.

The question being taken on the adoption of the resolutions, it was decided in affirmative.

The yeas and nays being required thereon, by Messrs. Willis and Daviess, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bush, Carter, Grider, Hanson, Harreld, Jessup, Lusk, Metcalfe, Miller, Morehead, Morgan, Murrell, Parker, Roberts, Smith, Southgate, Thornton, Watkins, Woolley and S. Young—22.

NAYS—Messrs. Allen, Bramlette, Coffey, Daviess, Gilbert, Guthrie, James, Lyon, McDonald, McHenry, May, Patterson, Sisk, Willis, Wingate and A. Young—16.

The question was then taken on the adoption of the preamble, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Willis and Daviess, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bush, Carter, Grider, Hanson, Harreld, Jessup, Lusk, Metcalfe, Miller, Morehead, Morgan, Murrell, Parker, Roberts, Smith, Southgate, Thornton, Watkins, Woolley and S. Young—22.

NAYS—Messrs. Allen, Bramlette, Coffey, Daviess, Gilbert, Guthrie, James, Lyon, McDonald, McHenry, May, Patterson, Sisk, Willis, Wingate and A. Young—16.

Enrolled bills of the following titles, viz:

An act to establish the College of Physicians of the city of Lexington; and

An act to establish the Mechanics' Savings Institution of Louisville,

Were each read the third time.

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Boyd, from the select committee, to whom was referred a bill supplemental to an act, entitled, an act to incorporate a company to construct a turnpike road from Taylorsville, in Spencer county, to intersect the turnpike from Bardstown to Louisville,

Reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Carter—A bill amending the road law in Greenup county.

By Mr. James—A bill providing for erecting a bridge across Mayfield creek, in a direction from Paducah to Columbus.

By Mr. McHenry—A bill for the benefit of Sarah Woods; and

By Mr. Wingate—A bill for the benefit of the widow and heirs of Nelson C. Johnson, deceased.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Metcalfe, from the committee to whom was referred a bill from the House of Representatives, entitled, an act to change the place of elections in the Lower Blue Lick precinct in Nicholas county,

Reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Boyd—1. A bill to incorporate a College in Shelbyville, Shelby county.

On the motion of Mr. James—2. A bill to extend the limits of the town of Paducah; and

On the motion of Mr. Smith—3. A bill to compel all persons who may drive hogs to market, or hogs that are bought, called stock hogs, to brand them plainly before they are removed.

Messrs. Boyd, James and Lyon, were appointed a committee to prepare and bring in the first; Messrs. Smith, Lusk and McHenry, the third; and the committee of Courts of Justice, was directed to prepare and bring in the second.

On the motion of Mr. Guthrie, the votes by which the Senate disagreed to bills from the House of Representatives, entitled, an act for the benefit of George Wymore.

And an act allowing Spottswood Wilkinson, to sell an interest in certain real estate, for the devisees of E. P. Wilkinson, deceased,

Were re-considered, and the said bills were referred to the committee of Courts of Justice.

A bill from the House of Representatives, entitled, an act for the benefit of William Weeks,

Was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Religion.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 3, 1836.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate, to bills from that House of the following titles, viz:

An act for the benefit of John and Peggy Garvin, and their children, and of John Coleman's representatives; and

An act to authorize the Board of Internal Improvements to have the turnpike road on Muldrow's hill examined by an Engineer, and a report thereon of his opinion of the value of said road, and for other purposes.

And that they had passed bills from the Senate, of the following titles, viz:

An act to appoint commissioners to make certain improvements in the navigation of Green river; and

An act to amend an act, entitled, an act for the improvement of the State of Kentucky, approved 28th February 1835.

With amendments to each.

And that they had passed bills of the following titles, viz:

An act to amend an act, entitled, an act to incorporate the Covington and Cincinnati Manufacturing company.

An act to amend an act, entitled, an act to incorporate the Glasgow and Munfordsville turnpike company.

An act for the benefit of Thomas S. Ellison.

An act to authorize the building of a bridge across Big Mayfield's creek, at or near Daviess' old mill.

An act to incorporate the Perryville and Danville turnpike road company; and

An act change the present mode of summoning jurors in this Commonwealth, and provide for their compensation.

Mr. Hanson, from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Thomas B. Megowan, jailer of Fayette county.

Reported the same without amendment;

And it was ordered to be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Keziah Branham,

Reported the same with an amendment,

Which was twice read and concurred in.

Ordered, That the said bill be read a third time as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the committee of David Ford,

Reported the same, without amendment.

The said bill was amended, and ordered to be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Wingate, the committee of Religion was discharged from the further consideration of a bill from the House of Representatives, entitled, an act for the benefit of William Weeks; and the said bill was referred to the committee of Courts of Justice.

Mr. Wingate, from the committee of Religion, to whom was referred the petition of Rachel Scott, praying a divorce from her husband, Joseph Scott, reported the following resolution thereon, viz:

Resolved, That the said petition *be rejected*.

On the motion of Mr. Lusk, the said resolution was amended, by striking out the words *be rejected*, and inserting in lieu thereof, the words *is reasonable*; and concurred in.

Ordered, That the committee of Religion prepare and bring in a bill pursuant thereto.

Mr. Wingate, from the same committee, to whom was referred the petition of Eliza Brown, praying for a divorce from her husband, William Brown, reported the following resolution thereon, viz:

Resolved, That the said petition *be rejected*.

On the motion of Mr. Wingate, the said resolution was amended, by striking out the words *be rejected*, and inserting in lieu thereof *is reasonable*; and concurred in.

Ordered, That the committee of Religion prepare and bring in a bill pursuant to said resolution.

Mr. Wingate, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of John H. Combs.

An act for the benefit of Sarah More; and

An act for the benefit of Pandora A. Huff;

Reported the same without amendment.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill from the House of Representatives, entitled, an act to repeal the 1st, 2d and 3d sections of an act to improve the navigation of Salt river, and for other purposes,

Reported the same without amendment.

On the motion of Mr. Boyd, the said bill was laid on the table.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill from the House of Representatives, entitled, an act to construct a turnpike road from Taylorsville, by way of Jeffersontown to Louisville,

Reported the same, with the opinion of the committee that it ought not to pass.

The question being taken on reading the said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. James, from the committee of Courts of Justice—1. A bill to extend the limits of the town of Paducah.

By Mr. Wingate, from the committee of Religion—2. A bill for the relief of Mary G. Overton.

By Mr. Roberts—3. A bill to incorporate a company to turnpike the road leading from Elizabethtown to Bardstown, and for other purposes.

By Mr. Boyd—4. A bill to incorporate a College in Shelbyville, Shelby county; and

By Mr. Gilbert—5. A bill declaring the Middle Fork of the Kentucky river a navigable stream, up to the mouth of Laurel on said Fork.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the third, fourth and fifth bills having been dispensed with, the third and fifth, were referred to the committee of Internal Im-

provements, and the fourth was referred to the committee of Education.

The rule of the Senate, constitutional provision, and second and third readings of the first and second bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

On the motion of Mr. Jessup,

Resolved, That the Register, Auditor and Treasurer, be directed to lay before the Senate, a statement of the amount of all moneys or lands appropriated to the different institutions of learning, in each and every county in this State, since the year 1812, up to 1835; and also, the amount of lands or money that has been appropriated to each county in the State of Kentucky, for the improvements of roads in said State.

Mr. Bush, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act to authorize the Board of Internal Improvements to have the turnpike road on Muldrow's hill examined by an Engineer, and report thereon his opinion of the value of said road, and for other purposes; and

An act for the benefit of John and Peggy Garvin, and their children, and of John Coleman's representatives.

And had found the same truly enrolled, and that the said bills had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Bush, reported that the committee had performed that duty.

The message in writing received from the Lieutenant and acting Governor, on the first instant, was taken up, and read as follows, viz:

Gentlemen of the Senate:

Since the adjournment of the Legislature in February last, the following Militia officers have been commissioned until the end of your present session. I therefore, nominate them, for your advice and consent, to be commissioned for the offices respectively attached to their names, viz:

James McConnell, to be Major General of the 5th Division, in place of E. Pendleton, resigned.

Wm. Miller, to be Major General of the 8th Division, in place of James Ray, deceased.

J. S. Hopkins, to be Quarter Master of the 8th Division, in place of J. T. Worthington, resigned.

P. B. McGoodwin, to be Quarter Master of the 14th Division, in place of Tho. Haynes, resigned.

Leslie Combs, to be General of the 3d Brigade, in place of J. McConnell, if promoted.

John Pratt, to be General of the 6th Brigade, in place of G. Lillard, resigned.

R. T. Blanchard, to be Quarter Master of the 7th Brigade, in place of J. O. Powling, resigned.

Peter Jordan, to be General of the 8th Brigade, in place of Wm. Miller, if promoted.

George P. Hill, to be General of the 21st Brigade, in place of Tho. Easterday, deceased.

Thomas Bradshaw, to be Quarter Master of the 27th Brigade, in place of J. W. Ewing, deceased.

Robert Graham, to be General of the 29th Brigade, in place of G. W. Chambers, promoted.

Thomas M. Hicks, to be Quarter Master of the 29th Brigade, in place of Thomas Mitchell, resigned.

J. H. Hobbs, to be Colonel of the 1st Regiment, in place of R. Graham, if promoted.

Wm. Wilson, to be Lt. Col. of the same, in place of J. H. Hobbs, if promoted.

James C. Davis, to be Major of the same, in place of Wm. Wilson, if promoted.

C. Raleigh, to be Colonel of the 4th Reg't., in place of G. Vandyke, refused to serve.

Wm. M. Cresp, to be Lt. Col. of the same, in place of C. Raleigh, if promoted.

M. Cissel, jr. to be Major of the same, in place of Wm. M. Cresp, if promoted.

John M. Jordan, to be Colonel of the 5th Regiment, in place of Peter Jordan, if promoted.

David McGee, to be Lt. Col. of the same, in place of J. M. Jordan, if promoted.

John McAfee, to be Major of the same, in place of D. McGee, if promoted.

John Gess, to be Major of the 7th Regiment, in place of H. Jones, moved away.

Henry Chrisman, to be Colonel of the 9th Regiment, in place of Wm. Olds, promoted.

Harvey Prewitt, to be Lt. Col. of the same, in place of J. Cunningham, resigned.

J. H. Chrisman, to be Major of the same, in place of H. Chrisman, if promoted.

Newton Payne, to be Col. of the 12th Regiment, in place of J. Pratt, if promoted.

J. L. Lindsey, to be Lt. Col. of the same, in place of N. Payne, if promoted.

Robert Burns, to be Colonel of the 13th Regiment, in place of J. Harris, resigned.

J. McCabe, to be Lt. Col. of the same, in place of H. Chaney, resigned.

John McMahon, to be Major of the same, in place of R. Burns, if promoted.

W. M. Samuel, to be Major of the 14th Regiment, in place of W. Allen, resigned.

George Wilcox, to be Colonel of the 18th Regiment, in place of T. P. Wilson, appointed Judge.

George W. Johnson, to be Lt. Col. of the same, in place of J. Lewis, resigned.

James C. Sprigg, to be Major of the same, in place of Geo. Wilcox, if promoted.

Thomas M. Farman, to be Colonel of the 29th Regiment, in place of Wm. Reed, moved away.

Thomas Hale, to be Lt. Col. of the same, in place of T. M. Farman, if promoted.

Warner Wilson, to be Major of the same, in place of Thomas Hale, if promoted.

Wm. K. McCord, to be Colonel of the 30th Regiment, in place of B. H. Hobb, moved away.

Samuel Means, to be Lt. Col. of the same, in place of Wm. K. McCord, if promoted.

John M. How, to be Major of the same, in place of Samuel Means, if promoted.

J. F. Anderson, to be Lt. Col. of the 31st Regiment, in place of M. Jamison, resigned.

Hardy Riggs, to be Major of the same, in place of J. F. Anderson, if promoted.

Jacob Newkirk, to be Lt. Col. of the 33d Regiment, in place of C. D. Ward, moved away.

E. Wilson, to be Major of the same, in place of B. S. Lockland, resigned.

Robert Boggs, to be Major of the 35th Regiment, in place of M. Todd, refused to accept.

Peter Bean, to be Lt. Col. of the 36th Regiment, in place of F. McDonald, resigned.

C. Scobee, to be Major of the same, in place of P. Bean, if promoted.

Thomas B. Hancock, to be Colonel of the 38th Regiment, in place of G. P. Hill, if promoted.

Richard Goode, to be Lt. Col. of the same, in place of Thomas B. Hancock, if promoted.

S. B. Ervin, to be Major of the same, in place of R. Goode, if promoted.

Alvin Stephens, to be Colonel of the 42d Regiment, in place of L. Combs, if promoted.

John Morgan, to be Lt. Col. of the same, in place of A. Stephens, if promoted.

Charlton Hunt, to be Major of the same, in place of J. Morgan, if promoted.

Mahlon Bowers, to be Lt. Col. of the 43d Regiment, in place of Samuel Eccles, moved away.

R. M. Daviess, to be Major of the same, in place of F. Mahan, moved away.

Brooks Austin, to be Colonel of the 49th Regiment, in place of W. Taylor, resigned.

D. L. Miller, to be Lt. Col. of the same, in place of B. Austin, if promoted.

J. H. McHenry, to be Major of the same, in place of D. L. Miller, if promoted.

J. B. Sasseen, to be Lt. Col. of the 55th Regiment, in place of J. Wilson, resigned.

John Hayes, to be Major of the same, in place of J. B. Sasseen, if promoted.

J. D. Mourning, to be Major of the 61st Regiment, in place of J. Carpenter, resigned.

Thompson Irvine, to be Colonel of the 69th Regiment, in place of J. Tolle, resigned.

Thomas J. Walker, to be Lt. Col. of the same, in place of A. D. McDonald, resigned.

E. H. Thomas, to be Major of the same, in place of M. Crutcher, resigned.

Hiram Kellam, to be Major of the 73d Regiment, in place of L. Riley, resigned.

B. Bailey, to be Major of the 76th Regiment, in place of C. W. F. Stephens, moved away.

W. F. Delaney, to be Lt. Col. of the 83d Regiment, in place of L. Hardy, resigned.

F. S. Gray, to be Major of the same, in place of W. F. Delaney, if promoted.

Sanford Canley, to be Major of the 85th Regiment, in place of G. T. Wilson, moved away.

J. R. Whitehead, to be Colonel of the 86th Regiment, in place of A. Endicut, moved away.

Thomas Dunn, to be Lt. Col. of the same, in place of J. R. Whitehead, if promoted.

Daniel Warts, to be Major of the same, in place of Thomas Dunn, if promoted.

M. D. Snider, to be Colonel of the 89th Regiment, in place of B. E. Watkins, resigned.

David Adkins, to be Lt. Col. of the same, in place of M. D. Snider, if promoted.

Sherrod Williams, to be Major of the same, in place of D. Adkins, if promoted.

N. H. Parish, to be Colonel of the 94th Regiment, in place of A. Young, resigned.

P. H. Steinberger, to be Lt. Col. of the same, in place of N. H. Parish, if promoted.

John Ford, to be Major of the same, in place of P. H. Steinberger, if promoted.

Richard Yancey, to be Major of the 100th Regiment, in place of S. Calvert, refused to accept.

Abraham Jonas, to be Major of the 104th Regiment, in place of L. M. Simpson, promoted.

J. Copeland, to be Lt. Col. of the 111th Regiment, in place of J. Blagg, promoted.

H. Shulse, to be Colonel of the 114th Regiment, in place of J. B. Blair, resigned.

J. H. Shanklin, to be Lt. Col. of the same, in place of H. Shulse, if promoted.

L. Hendrick, to be Major of the same, in place of J. H. Shanklin, if promoted.

James F. Wilson, to be Colonel of the 116th Regiment, in place of M. Souther, resigned.

Wm. B. Whitesides, to be Lt. Col. of the same, in place of J. F. Wilson, if promoted.

James Metcalfe, to be Major of the same, in place of J. Conyers, resigned.

John Fibble, to be Colonel of the 117th Regiment, in place of J. D. Morgan, cashiered.

H. H. Neighbors, to be Lt. Col. of the same, in place of J. Fibble, if promoted.

J. N. Carson, to be Major of the same, in place of H. H. Neighbors, if promoted.

A. W. Garrett, to be Colonel of the 119th Regiment, in place of J. McCullam, moved away.

A. Easley, to be Lt. Col. of the same, in place of J. D. McGee, deceased.

J. G. Porter, to be Major of the same, in place of A. Easley, if promoted.

James Payne, to be Major of the 121st Regiment, in place of J. Riggle, resigned.

Wm. McCauley, to be Colonel of the 122d Regiment, in place of H. Logan, resigned.

James Densford, to be Lt. Col. of the same, in place of R. S. Wood-
saw, refused to accept.

N. P. Churchill, to be Major of the same, in place of J. Densford, if promoted.

A. C. Lindsey, to be Colonel of the 128th Regiment, in place of T. L. Blanford, moved away.

H. A. Davison, to be Lt. Col. of the same, in place of M. Newman, resigned.

Thomas Vails, to be Major of the same, in place of A. C. Lindsey, if promoted.

Lewis Riley, to be Colonel of the 129th Regiment—new Regiment.

James Walrup, to be Lt. Col. of the same.

James C. Talbott, to be Major of the same.

And also, Henry Timberlake, to be Notary Public, of the county of Bourbon.

February 1, 1836.

J. T. MOREHEAD.

Resolved, That the Senate advise and consent to the said appointments, except those of John Morgan, to be Lieutenant Colonel, of the 42d Regiment, and Charlton Hunt, to be Major of the same Regiment.

Ordered, That Mr. Thornton inform the Lieutenant and acting Governor thereof.

The said nomination of John Morgan, was referred to the committee on Military Affairs; and that of Charlton Hunt, was laid on the table.

A bill to establish the county of _____, was amended, and ordered to be engrossed and read a third time to-morrow.

A bill to provide a sinking fund for the payment of loans for Internal Improvements, and for the final redemption of the principal of said loans, was amended, and ordered to be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Speaker laid before the Senate, a letter from the Lieutenant and acting Governor, enclosing the report of the Principal Engineer, of his examination of Rockcastle river.

The said letter and report, are as follows, viz:

FRANKFORT, KENTUCKY, }
February 3, 1836. }

SIR:—I have the honor to transmit herewith, the report of the Principal Engineer, of his examination of the Rockcastle river.

Very respectfully,

Your obedient servant,

J. T. MOREHEAD.

HON. WM. B. BLACKBURN,
Speaker of the Senate.

[For the report referred to, see appendix to this Journal.]

Ordered, That the public printer print one hundred and fifty copies of the said report, for the use of the General Assembly.

Bills from the House of Representatives of the following titles, viz:

1. An act to increase the revenue.
2. An act to authorize the subscription of stock in the Louisville Bank of Kentucky; and
3. An act to change the present mode of summoning jurors in this Commonwealth, and to provide for their compensation.

Were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, they were referred, the first and second to the committee of Finance, and the third to the committee of Courts of Justice.

And then the Senate adjourned.

THURSDAY, FEBRUARY 4, 1836.

1. Mr. Daviess presented the petition of John P. Porter, praying to be released from the payment of a judgment against him in the general court, for failing to return certain public arms.

2. Mr. Coffey presented the petition of Nancy Cravens, praying for the passage of a law, authorizing a sale of a tract of land in Adair county; the State price of which, was remitted to her.

3. Mr. Thornton presented the petition of Robert Scroggin, and others, justices of the peace of Bourbon county, praying for the passage of a law, authorizing the Bourbon county court to increase the county levy of said county, to be collected the present year; and

4. Mr. Gilbert presented the petition of sundry citizens of Harlan county, praying for an appropriation of money to make a road in said county, around Laurel Hill.

Which petitions were received, and referred, the first to the committee of Propositions and Grievances; the second, to the committee of Courts of Justice; the third, to a committee of Messrs. Thornton, Woolley and Metcalfe; and the fourth to the committee of Internal Improvements.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred a bill prohibiting the making and circulating drafts, checks and orders, as money in this Commonwealth,

Reported the same, with amendments;

Which were twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the committee of Finance, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to increase the revenue; and

An act to authorize the subscription of stock in the Louisville Bank of Kentucky.

Reported the same without amendment: the second bill was then amended.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills do pass—the second as amended, and that the titles thereof be as aforesaid.

On the motion of Mr. Daviess, the votes were re-considered, by which the first bill was ordered to be read a third time, and passed.

The said bill was then amended, and ordered to be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act for the benefit of the county of Jefferson, and the city of Louisville.

An act appropriating the fines and forfeitures of Green county, to the New Athens Academy; and

An act establishing an additional election precinct in the county of Hardin, and for other purposes.

And that they had passed bills of the following titles, viz:

An act allowing an additional magistrate and constable to Washington county.

An act to reduce into one the several acts regulating the town of Nicholasville.

An act to amend an act to authorize the sale of certain lands belonging to Edmund H. Taylor.

An act for the benefit of the widow and heirs of John Smith, M.

An act for the benefit of C. M. Vaught; and

An act for the benefit of Mary E. Stansbury.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Wingate, from the committee of Religion—1. A bill for the divorce of Rachael Scott—And 2. a bill for the divorce of Eliza Brown.

By Mr. Roberts—3. A bill to amend the criminal laws of this Commonwealth, and for other purposes.

By Mr. Thornton—4. A bill to authorize the county court of Bourbon county, to increase the levy in said county, and for other purposes.

Leave having been obtained, the following bills were reported.
By Mr. Guthrie—5. A bill to amend the charter of the Louisville Savings Institution.

By Mr. Grider—6. A bill to add an additional term to the Alén circuit court; and

By Mr. Guthrie—7. A bill for the benefit of the county of Jefferson.

The said bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the third bill having been dispensed with, it was referred to the committee of Courts of Justice.

The rule of the Senate, constitutional provision, and second and third readings of each of the other bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill from the House of Representatives, entitled, an act to amend the Owingsville and Big Sandy turnpike road company,

Reported the same with amendments;

Which were twice read and concurred in.

Ordered, That the said bill be read a third time as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

The amendments proposed by the House of Representatives to a bill from the Senate, entitled, an act to amend an act entitled, an act for the Internal Improvement of the State of Kentucky, approved 28th February, 1835,

Was twice read and concurred in.

A bill from the House of Representatives, entitled, an act to authorize the stockholders of the Covington and Lexington turnpike road company to vote whether Dry creek Post Office, shall or not be in said road;

Was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Internal Improvements.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Hanson—1. A bill for the benefit of James McDowell, Jr. of Rockbridge county, Virginia.

On the motion of Mr. Boyd—2. A bill to incorporate a company

to construct a turnpike road from Shelbyville, to a point of intersection with the contemplated rail road near Christiansburg, in Shelby county.

On the motion of Mr. Woolley—3. A bill to provide for the appointment of a Chancellor for the Fayette circuit court; and

On the motion of Mr. Daviess—4. A bill for the benefit of the heirs of Samuel K. Nelson, and the heirs of John Reed Nelson, deceased.

The committee of Finance was directed to prepare and bring in the first; the committee of Courts of Justice the third; Messrs. Boyd, Allen and Wingate, were appointed a committee to prepare and bring in the second; and Messrs. Daviess, Smith and Guthrie, the fourth.

Mr. James read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on Saturday, the 20th instant, that they will adjourn without day.

Mr. Watkins read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That they will, by joint vote of both Houses, on the eleventh day of this instant, (February, 1836,) proceed to the election of a Treasurer, Public Printer, Librarian, a President and Directors of the Bank of the Commonwealth, and of the (Old) Bank of Kentucky.

The Speaker laid before the Senate, the following letter and report of the Public Librarian, viz:

LIBRARY ROOM,
Frankfort, 4th Feb'y. 1836. }

SIR:—You will please lay before the honorable House, over which you preside, the accompanying report, which contains a catalogue of all the books received in the State Library the past year, 1835.

Yours, respectfully,

GEORGE A. ROBERTSON, *Librarian.*

HON. WM. B. BLACKBURN.

A Catalogue of Books received in the Public Library, from the Secretary of State, in 1835.

Laws of Maine—2 vols. for the year 1833.

Laws of Maryland—2 vols. for the year 1833.

Laws of Pennsylvania—2 vols. for the years 1834-5.

Laws of New Jersey—2 vols. for the year 1834.

Laws of Connecticut—1 vol. for the year 1835.

Laws of Delaware—2 vols. for the year 1835.

Laws of Alabama—2 vols. for the year 1833.
 Laws of Ohio—2 vols. for the year 1834.
 Laws of Louisiana—2 vols. for the year 1835.
 Acts of Congress—2d Session, 23rd Congress, unbound, 50 vols.
 Dana's Reports—vol. 2nd, year 1835, 107 vols.
 Acts of Kentucky—for 1834-5, 100 vols.
 Senate Journals of Kentucky—for 1834-5, 20 vols.
 House Journals of Kentucky—for 1834-5, 20 vols.

Received in exchange for—10 copies of J. J. Marshall's Reports in 7 vols.; 5 copies Pirtle's Digest, in 2 vols.; and 10 copies Hardin's Reports, in 1 vol.—by the direction of the Secretary of State, the following books, to-wit:

1 copy Binney's Reports, in 6 vols.
 1 " Rawley's Reports, in 4 "
 1 " Burlemaques N. P. Law, 2 vols.
 1 " Phillip on Insurance, in 2 vols.
 1 " Story's Laws of U. States, 3 vols.
 1 " Massachusetts Reports, in 17 vols.
 1 " Yeate's Reports, in 4 vols.
 1 " Cain's N. Y. Reports, in 3 vols.
 1 " Saunders on Pleading and Evidence, 3 vols.
 1 " Chitley on Bills, in 1 vol.
 1 " Day's Reports, 4 vols.
 1 " Root's Reports, 2 vols.
 1 " Washinton's Reports, 4 vols.
 1 " Peters' Reports, 1 vol.
 1 " Debates on Judiciary.
 1 " Angell and Aims, on Corporation,
 1 " do. on water courses,
 1 " East's Reports, in 16 vols.
 1 " Archbold's Blackstone, 4 vols.
 1 " Cox's Digest, 1 vol.
 1 " Roscoe on Evidence,
 1 " Equity Draftsman,
 Amounting to the sum of \$272 00.

The following books purchased by the direction of the Judges of the Court of Appeals, in the year 1835.

1 copy of Atkin's Reports, in	3 vols.	\$13 00
1 " Peer Williams' Reports, in	3 "	15 00
1 " Coke's Reports, in	6 "	20 00
1 " Randolph's Reports, in	6 "	30 00
1 " Call's Reports, in	6 "	28 00
1 " Mumford's Reports, in	6 "	28 00
1 " Claney on Rights, in	1 "	4 00
1 " Hovenden on Frauds, in	1 "	5 50
1 " Tidd's Practice, in	2 "	8 00
1 " Chitty's Equity, in	2 "	13 00
1 " 6th vol. condensed Eng. Ch'y Reports,		5 00
1 " Stephen on Pleading, in	1 "	4 25

1	"	English Common Law Reports, in	24 vols.	100 00
1	"	Maddock's Chancery, in	2 "	4 50
1	"	English Ecclesiastical Reports, in	4 "	16 00
1	"	Wentworth on Executors,	1 "	3 00
1	"	Butler's Horace,	1 "	75
1	"	Hoffman's Legal Outlines,	1 "	4 00
1	"	Bosanquet and Puller's Reports,	5 "	18 00
1	"	Hovenden on Frauds,		5 50
1	"	Caldwell on Arbitration,		2 00
1	"	Jeremy's Equity,		3 50
1	"	Wharton's Digest,		7 00
1	"	Living's Reports, 2 vols. folio,		10 00
1	"	Rule in Shelly's case,		1 75
1	"	Theobald on Principal and Surety,		3 00
1	"	Peters' Reports, vol. 8th,		4 75
1	"	Story on the Constitution,	3 vols.	9 00
1	"	Coke's Reports,	6 "	42 50
1	"	Cooper's Equity Pleading,		3 25
1	"	Brown's Ch'y. Reports,	4 "	34 00
1	"	Brown's Civil and Admiralty Law,	2 "	15 50
1	"	Law Library, in	12 "	10 00
		Postage on the same,		2 68
		Carriage on books from Philadelphia, and box containing the books, and postage,		4 25
		Specie,		<hr/> \$478 68
		Commonwealth's paper,		<hr/> \$497 82

All of which is respectfully submitted to your consideration.

GEORGE A. ROBERTSON.

The Senate, according to the standing order of the day, resolved itself into a committee of the whole House, on the State of the Commonwealth—Mr. Wingate in the chair. After some time spent in committee, the Speaker resumed the chair, when Mr. Wingate reported that the committee had, according to order, had under consideration a bill defining the powers and duties of the Board of Internal Improvement, and for other purposes, and had gone through the same, and made amendments thereto, which he handed in at the clerk's table.

And then the Senate adjourned.

FRIDAY, FEBRUARY 5, 1836.

Mr. William B. Blackburn, the Speaker of the Senate, being absent, the Senate proceeded to the election of a Speaker for the occasion.

Mr. Watkins nominated Mr. Cyrus Wingate, as a proper person to fill that office.

The vote being taken, Mr. Wingate, was unanimously elected. He was conducted to the chair by Messrs. Watkins and Metcalfe, from whence he made acknowledgments for the honor conferred.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of George Wymore.

An act allowing Spottswood Wilkinson to sell an interest in certain real estate, for the devisees of E. P. Wilkinson, dec'd; and

An act for the benefit of William Weeks,

Reported the same with amendments to each,

Which were twice read and concurred in.

Ordered, That the said bills be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills, as amended, do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act to establish and regulate the town of Hawesville, in the county of Hancock.

An act to incorporate the Kentucky Culture and Manufacturing Company; and

An act for the better regulating of the town of Hardinsburg, and for other purposes;

With amendments to the second and third bills.

That they had disagreed to a bill from the Senate, entitled, an act to incorporate the Western Navigation company.

And that they had passed bills of the following titles, viz:

An act to incorporate the Louisville, Cincinnati and Charleston Rail Road Company.

An act to improve the roads in Monroe, Allen and Cumberland counties.

An act to incorporate the Lebanon and Marion turnpike road company.

An act for the benefit of Washington county, and for other purposes.

An act to amend the laws in relation to restraining orders in chancery.

An act to amend an act, entitled, an act vesting jurisdiction in the circuit courts, to authorize the sale of real estate of infants in certain cases.

An act to amend the several acts of the General Assembly, in relation to the Deaf and Dumb Asylum at Danville.

An act for the benefit of Eliza Davis; and

An act for the benefit of Euphemia L. Schooler.

The said bill entitled, an act to incorporate the Louisville, Cincinnati and Charleston Rail Road Company, was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Internal Improvements.

Mr. Hanson, from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled, an act to appropriate a sum of money to build a Seminary of learning at Brandenburg,

Reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported, viz:

By Mr. Guthrie, from the committee of Courts of Justice—1. A bill for the benefit of the widow and heirs of Thomas Wood.

By Mr. Daviess—2. A bill for the benefit of the heirs of John R. Nelson, deceased; and

By Mr. Grider—3. A bill concerning the town of Bowlinggreen.

The rule of the Senate, constitutional provision, and second reading of the second and third bills having been dispensed, they were referred to the committee of Courts of Justice.

The rule of the Senate, constitutional provision, and second and third readings of the first bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Bush, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act authorizing the jailer to serve process in certain cases.

An act repealing the act of 1834, establishing an election precinct in Livingston county.

An act to change the name of the town of Hendronsville, in the county of Henry.

An act to change the second constable's district in Henry county.

And an act to extend the limits of the town of Brandenburg.

An act for the benefit of Robert J. Terry.

An act to provide for transcribing certain books in the office of the surveyor of Muhlenburg county, and for other purposes; and

An act for the benefit of Susannah Drane.

And had found the same truly enrolled: that the said bills had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Bush reported that the committee had performed that duty.

The [bill defining the powers and duties of the Board of Internal Improvement, and for other purpose; and the amendments thereto reported from the committee of the whole House, on the State of the Commonwealth, were taken up.

The first amendment proposed to strike out the third section of the bill, which is as follows, viz:

§ 3. "That the President of said Board, in consideration of his services, shall receive a salary of ——— per annum, to commence from the time of the first organization of said Board, which shall be audited and paid, in the same manner as to the other salaried officers of the State."

And to insert in lieu thereof the following, viz:

§ 3. "That so much of the first section of the act, entitled, an act for the Internal Improvement of the State of Kentucky, as provides that the Governor, for the time being, shall be, *ex officio*, a member of the Board of Internal Improvement, shall be, and the same is hereby *repealed*: and that the President and other members of said Board, shall hereafter be annually, by the Governor nominated, and by and with the advice and consent of the Senate appointed. And the President of said Board, shall receive for his services an annual salary of ——— dollars, payable quarterly out of the Public Treasury; and the other members of said Board, shall be compensated as provided by said recited act."

On the motion of Mr. Daviess, the question was first taken on striking out the said third section; and it was decided in the affirmative.

The question was then taken on inserting in lieu thereof, the said amendment; and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Hanson and Murrell, were as follows, viz:

YEAS—MR. SPEAKER, MESSRS. Boyd, Bramlette, Bush, Coffey, Daviess, Gilbert, Grider, Guthrie, Hanson, Harreld, James, Lusk,

Lyon, McDonald, McHenry, Metcalfe, Miller, Morehead, Morgan, Murrell, Parker, Patterson, Roberts, Sisk, Smith, Watkins, Woolley, A. Young and S. Young—30.

NAYS—Messrs. May and Thornton—2.

One of the said amendmenments proposed to add to the bill the following section:

§ 31. That it shall be the duty of the Board of Internal Improvement to cause the accounts and receipts of the Maysville, Washington, Paris and Lexington turnpike road company to be investigated, and if from an investigation of the costs of constructing said road, and its annual receipts, and the probable annual costs of repairs, they shall find that said road will yield a net profit of six per cent. per annum on the costs thereof, said Board shall be, and they are hereby authorized and empowered to subscribe such additional number of shares to the capital stock of said company, as will make the stock of the State one moiety of the original costs of constructing said road, and pay the amount of the additional subscription in taking up the bonds of said company, payable in the year 1838, either by discounting said bonds at such rate as they may agree with the holders, on paying the interest until due, and then paying the principal; and after the said Board shall have increased the State stock to one moiety of the whole stock in said company, it shall be the duty of the President and Managers of said road to pay over to the State the dividends on the stock in said road, in aid of the sinking fund; but nothing herein shall be construed to repeal the 4th section of an act for the Internal Improvement of the State of Kentucky, approved 28th Feb. 1835.

The question being taken on concurring in the said amendment, it was decided in the negative, and so the said amendment was disagreed to.

The yeas and nays being required thereon by Messrs. Hanson and Parker, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Bush, Carter, Coffey, Grider, Guthrie, May, Metcalfe, Morgan, Parker, Thornton and Woolley—12

NAYS—Messrs. Boyd, Bramlette, Daviess, Gilbert, Hanson, Harrell, James, Lusk, Lyon, McDonald, McHenry, Miller, Morehead, Murrell, Patterson, Roberts, Sisk, Smith, Watkins, A. Young and S. Young—21.

The other amendments reported from the committee were severally twice read and concurred in.

Mr. Daviess moved to amend the third section of the said bill, as amended, by striking out after the word "*repealed*," printed in italics, the balance of the section, and inserting in lieu thereof the following, viz:

"And that hereafter, said Board shall consist of a President and

three Members, to be appointed by the Governor annually, by and with the advice and consent of the Senate, and it shall be the duty of the Governor, in selecting the aforesaid Board, to appoint one from each of the great sections of the State. Three of whom shall concur in all the objects selected for improvement, as well as subscribing on the part of the State to said work, or any other investment of the said Internal Improvement Fund. Said President shall receive for his services the sum of ——— dollars, annually, payable quarterly out of the Public Treasury: the other members of the said Board shall be compensated in the manner provided for by the said recited act."

The question being taken on the adoption of the said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Daviess and Parker, were as follows, viz:

YEAS—Messrs. Boyd, Carter, Coffey, Daviess, Gilbert, Lusk, Lyon, McDonald, McHenry, Metcalfe, Miller, Morehead, Murrell, Patterson, Sisk, Smith, Thornton, Watkins and S. Young—19.

NAYS—MR. SPEAKER, Messrs. Bramlette, Bush, Grider, Hanson, Harreld, May, Morgan, Parker, Roberts, Woolley and A. Young—12.

On the motion of Mr. Boyd—

Resolved, That the resolution of the Senate adopted on the instant, requiring the Register, Auditor and Treasurer, to furnish a statement of the money and lands appropriated by law, to the different counties in this State for Seminaries of learning, be rescinded.

And then the Senate adjourned.

SATURDAY, FEBRUARY 6, 1836.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act establishing an election precinct in Breckenridge county.

An act to enlarge the constable's district including the town of Mount Vernon, in Rockcastle county.

An act for the benefit of Elizabeth Graham.

An act to establish a Warehouse and Inspection of Tobacco, Flour, Pork and Salt, upon the lands of Wm. E. Sublett, at his Warehouse landing upon the Little Obion, in the county of Hickman.

And an act to incorporate the Franklin Bridge Company.

With an amendment to the last named bill.

And that they had passed bills of the following titles, viz:

An act for the benefit of Mary Brown; and

An act for the benefit of Mary P. Clark.

And that they had concurred in the amendments proposed by the Senate, to bills from that House of the following titles, viz:

An act to incorporate and extend the limits of the town of London.

An act to amend the law in relation to the opening and repairing the roads in Campbell county.

An act for the benefit of Keziah Branham.

An act to authorize the purchase of scientific books for the use of the Engineer Department of the State.

And an act authorizing the sale of certain land belonging to the infant heirs of Samuel Bradley, deceased.

An act establishing a town on the lands of Westley Hicks, in the county of Graves.

An act for the benefit of the committee of David Ford.

An act to amend an act to provide for the improvement of the road from Franklin county, to Crab Orchard in Lincoln county.

And act to provide for cleaning and repairing the Public Arms in the Arsenal;

With amendments to the amendments proposed to the two last named bills.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred a bill from the House of Representatives, entitled, an act to amend an act, entitled, an act to appropriate the vacant lands in this Commonwealth, east and north of the Tennessee river, to the counties in which they lie, for the purposes of Internal Improvement.

Reported the same without amendment;

Which was twice read and concurred in.

Ordered, That the said bill be read a third time as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Guthrie, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, viz:

1. An act for the benefit of the town of Flemingsburg.

2. An act for the benefit of John Davis and his children; and

3. An act to amend the several acts to suppress the practice of duelling in this Commonwealth.

Reported the same without amendment.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the first and second bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Guthrie, from the same committee to whom was referred a bill entitled, an act for the benefit of John and Lucy Vining, with the amendments proposed thereto by the House of Representatives, Reported the same without amendment;

The said amendments proposed by the House of Representatives, were concurred in.

Mr. Guthrie, from the same committee, to whom was referred a bill for the benefit of the heirs of John R. Nelson;

Reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time on Monday next.

Mr. Guthrie, from the same committee, reported a bill authorizing limited partnerships in this Commonwealth;

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Courts of Justice.

Ordered, That the public printer print one hundred and fifty copies of the said bill for the use of the General Assembly.

The amendments proposed by the House of Representatives to bills of the following titles, viz:

An act to appoint commissioners to make certain improvements in the navigation of Green river; and

An act to incorporate the Kentucky Silk Culture Manufacturing Company,

Were twice read, and the said bills and amendments, were referred to the committee of Internal Improvements.

The amendments proposed by the House of Representatives, to bills from the Senate, entitled, an act for the better regulating of the town of Hardinsburg, and for other purposes; and

An act to incorporate the Franklin Bridge Company,

Were twice read and concurred in.

The amendment proposed by the House of Representatives, upon concurring in the amendments proposed by the Senate, to a bill from that House, entitled an act to provide for cleaning and repairing the Public Arms in the Arsenal;

Was twice read and concurred in.

A bill to prevent clerks of county courts from acting as Attorneys at law in the circuit courts of their respective counties;

Was read the second time, and ordered to be engrossed, and read a third time on Monday next.

An engrossed bill entitled, an act to establish a State road from Pikeville, to the Virginia line, at the Sounding Gap in Cumberland Mountain; was read the third time.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The resolutions of the House of Representatives, for the benefit of the commissioned officers of the United States Army, who served in the last war with Great Britain;

Were twice read and concurred in.

A bill from the House of Representatives, entitled, an act to amend an act entitled, an act to enlarge the boundaries of Georgetown, and for other purposes, approved February 11th, 1835.

Was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles, viz:

1. An act to establish the town of Edmonton, in Barren county,
2. An act to amend the charter of the Shepherdsville and Elizabethtown turnpike road company.
3. An act to authorize the building of a bridge across Big Mayfield's creek, at or near Daviess' old mill; and
4. An act allowing an additional Magistrate and Constable, to Washington county.

Were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, the first was referred to a committee of Messrs. Murrell, Morehead and Grider; the second to a committee of Messrs. Roberts, Guthrie, and S. Young; the third to a committee of Messrs. James, Harreld and Watkins, and the fourth to a committee Messrs. McDonald, Boyd and James.

Bills from the House of Representatives, of the following titles, viz:

- An act for the divorce of Ruth Hall.
- An act for the benefit Hannah Hunter.
- An act for the benefit of Hezekiah and Fanny Duzan,
- An act for the benefit of Frances Taylor.
- An act for the benefit of Thomas S. Ellison.
- An act for the benefit of Eliza Davis.
- An act for the benefit of Euphemia L. Schooler.
- An act for the benefit of Sarah Brown; and
- An act for the benefit of Mary O. Clark.

Were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, they were referred to the committee of Religion.

Bills from the House of Representatives, of the following titles, to-wit:

An act to incorporate the Carlisle, Flat Rock, North Middletown and Winchester turnpike road company.

An act to incorporate the Paris, North Middletown and Mountsterling turnpike road company.

An act to incorporate the Springfield, Perryville and Danville turnpike road company.

An act to improve the roads in Allen, Monroe and Cumberland counties.

An act to incorporate the Lebanon and Marion turnpike road company.

An act to amend an act, entitled, an act to incorporate the Covington and Cincinnati Manufacturing company; and

An act to amend an act, entitled, an act to incorporate the Glasgow and Munfordsville turnpike company.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, they were referred to the committee of Internal Improvements.

Bills from the House of Representatives of the following titles, viz:

An act to authorize Judge Kelly to hold a call court in Marion county.

An act for the benefit of C. M. Vaught.

An act for the benefit of the widow and heirs of John Smith, M.

An act to amend an act to authorize the sale of certain lands belonging to Edmund H. Taylor.

An act for the benefit of Mary E. Stansbury.

An act for the benefit of Washington county, and for other purposes.

An act to amend the laws in relation to restraining orders in chancery; and

An act to amend an act, entitled, an act vesting jurisdiction in the circuit courts, to authorize the sale of the real estate of infants in certain cases.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, they were referred to the committee of Courts of Justice.

Bills from the House of Representatives of the following titles, viz:

An act to reduce into one the several acts regulating the town of Nicholasville; and

An act to amend the several acts of the General Assembly, in relation to the Deaf and Dumb Asylum at Danville.

Were each read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second readings of the said bills having been dispensed with, the former was referred to the committee of Propositions and Grievances, and the latter to the committee of Finance.

An engrossed bill entitled, an act to regulate the compensation of the members of the Legislature, was taken up.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Roberts—

Resolved, That the committee of Education be instructed to examine and report the condition of the Public Library, and the manner of its management by the Librarian, and in all other matters and things pertaining thereto, to examine and report upon.

And then the Senate adjourned.

MONDAY, FEBRUARY 8, 1836.

The Speaker laid before the Senate, the report of the President of the Maysville, Washington, Paris and Lexington turnpike road company, which is as follows, viz:

MAYSVILLE, JANUARY 20, 1836.

*Hon. Speakers of the Senate,
and House of Representatives:*

DR. SIRS:

I herewith transmit you the Report of the Maysville, Washington, Paris and Lexington Turnpike Road Company, which I will thank you to lay before the body over which you preside:

The Report, marked A, exhibits the state of the stock account, and also shows the amount of receipts and expenditures of moneys on ac-

count of the Board. From this statement, you will discover the amount of stock subscribed, by individuals and corporations, to amount to the sum of	\$200,500 00
And by the Commonwealth,	144,200 00
Total,	\$344,700 00
Amount raised by the President of the Company, by issuing their notes,	70,000 00
	\$414,700 00
Of which Stock has been forfeited,	4,700 00
	\$410,000 00

Contracts for the continuance of the road were entered into and made payable, the one half in scrip or notes of the Company, bearing an interest of six per cent. per annum, by which means the seventy thousand dollars were raised.

The statement, marked B, exhibits the amount of tolls received from the time the first gate was erected, until the 1st of January, 1836; also, the amount paid out for repairs during the same period. From that statement, you will find the amount of tolls received, ending 1st January, 1836, is the sum of \$26,984 92, and the amount paid for repairs during the same period, is \$16,879 10. A large portion of the road, last contracted, was not entirely finished until the winter and spring 1835; in consequence of which, the cover was not consolidated, the winter frosts and wet weather penetrated through the cover, and caused the earth under the cover to yield to the heavy travel thrown upon it that spring, by which the Company incurred an unusually heavy expense, to prevent total destruction on that part of the road during the last year. Agreeable to law a dividend has been declared, semi-annually, since the 1st April, 1831—say on the 1st of April and 1st of October, in each year. Up to the 1st of April, 1833, the dividends were declared on the stock exclusively held in that part of the road from Maysville to the south end of Washington, and on that date—say April 1st, 1833, the dividends were made upon the *tolls* received up to the 1st day January, 1833, *only*—at which period the additional gates were erected, and the Maysville and Washington road came into partnership with the balance of the road to Lexington. The dividends that have been declared since that period, have been appropriated to the payment of interest and to the redemption of the notes of the Com-

pany, as will be discovered from the toll account. The State had no interest in the dividends declared up to 1st April, 1833, as no gate had been erected beyond Washington until after that period.

The statement, marked C, exhibits the amount of dividends, as declared in the stock held in that part of the road from Maysville to the south end of Washington, up to April, 1833—also, the amount of same, which has been paid to Stockholders, leaving a balance of said dividend, now unpaid, of \$396 80. The road itself is entirely completed the last contracts having been finished during the winter and spring of 1835. There were three gates erected in 1835—say one on 14th January, one on 3d April, and one on 1st December. The last named gate was at Licking Bridge. There are now 13 gates, (being the whole provided for by law,) erected and receiving *tolls*.

The statement, marked D, is the stock account of the Commonwealth of Ky., and shows a balance due the Company, by the State, of \$560 31. In reference to this account, I would remark, that the warrants issued by the Auditor of State, shows the stock as all paid up; but there were several of those warrants issued when the State had no funds to meet them, and they were discounted by the Bank of Kentucky. The discount thus made, make up the balance due, as exhibited by the account, for which balance the State is justly indebted, inasmuch as the amount of the warrants was due at the time they were issued. The Company have an interest account against the State also, which will be brought in at some future period.

The statement, marked E, shows the balance due to contractors, and remaining unpaid. The capital stock, as provided for by law, in said Company, is \$400,000; but the subscription of \$19,200 on the part of the State last spring, for Licking bridge, will make \$410,000, and it is found by a correct estimate, recently made, that the whole cost of the road, including Bridges, Gates, Houses, &c. when complete, (two of the bridges not being entirely finished,) will amount to \$413,000. It would, therefore, be important for the present Legislature to increase the capital stock of the Company to that sum, or to provide by law, for the payment of the excess out of tolls collected. It will be seen that the tolls collected the last year have increased very much. This has been owing to the erection of additional gate houses, during that year, and also, an increase of travel, induced by giving a continuous finished line of road from Maysville to Lexington. It will also show a very great increase of expenditure for repairs, for the same period. This has arisen, in part, for the reasons already given. In addition to which, repairs

were necessary, on the entire line of road, which was not the case, any former year. Besides, former years, wagons were compelled to load in reference to the unfinished parts of the road, but few of them could haul more than two tons; but after the whole line of road was completed, the same wagons would haul from sixty to seventy, and sometimes 8000 lbs., at a single load. The increased weight upon the road, and that too upon wagons with narrow tire, in wet and frosty seasons, cut through the cover of the road, which we conceive has been the greatest evil, and has caused more expenditures of money for repairs than all others. The Company, however, flatter themselves the same difficulty will not exist, at least not to the same extent, the next season; and perhaps not at all hereafter. To induce the introduction on the road of broad tire wagons, the Company reduced the toll last summer to one half for wagons, the tire of which was five inches and upwards. Since which time, five or six wagons of that size has been constructed and are now on the road. An equal number, or perhaps more, are making, and will be on the road in a few weeks. It is found, from the experiments already made, that wagons of this description do little or no injury to the road, and we confidently hope and believe, in twelve months from this time, nine tenths of the wagons that travel the road will be of the above description—when one half, paid last year, will keep the road in good order. This Company having, as they conceive, to a considerable extent, been the pioneers as regards internal improvements in Kentucky, and having struggled hard for the last seven years to complete this road, and to enable them to do so, have incurred a considerable debt, we would, therefore, respectfully ask the Legislature now convened, to make provision for taking up the \$70,000 thus borrowed by the Company, upon the same footing of other Turnpike Road Companies in the State.

Apprehending much injury to our bridges may be done, by carriages, wagons, stages, and other vehicles, traveling rapidly over them, and there being, no doubt, provision in the Charter to guard the Company, and protect their interest in that particular, we would also, respectfully pray the Legislature to pass a law, imposing a fine on any one who will drive out of a walk in passing over any bridges on the line of road. We consider this of much importance to all Turnpike Companies in the State.

With much respect,

Your ob't serv't,

A. M. JANUARY,

Pres't. Pro Tem.

[A]

*STATEMENT of Stock account, and of Receipts and Expenditures,
on account of the Maysville, Washington, Paris, and Lexington
Turnpike road Company.*

STOCK ACCOUNT.

	Dr.
1836.	
Jan'y 1. To amount of stock subscribed by individuals and corporations,	\$200,500 00
To ditto subscribed by the Commonwealth of Kentucky,	144,200 00
To ditto obtained by the President of the Com- pany,	70,000 00
On notes of the Company,	\$414,700 00
Deduct this amount of stock, forfeited for non- payment,	4,700 00
	<u>\$410,000 00</u>

CONTRA.

	Cr.
1836.	
Jan'y 1. By this amount of stock paid by individuals and corporations,	181,565 10
By this amount of same paid by Commonwealth of Kentucky,	143,639 66
By amount of same obtained by the President of the Company, paid by issue of the notes of the Company,	70,000 00
	<u>\$395,204 79</u>
By this amount of stock paid by L. Vimont in work on road,	4,200 00
By this amount of same paid by same in work on road,	4,700 00
By this amount of same paid by L. V. Wern- wag in work,	400 00
By balance of stock unpaid by individuals and corporations,	4,934 90
By balance due on State subscription,	560 31
	<u>\$410,000 00</u>

MAYSVILLE, WASHINGTON, PARIS AND LEX. TURNPIKE
ROAD COMPANY

1836.

	Dr.
Jan'y 1. To balance of interest account,	5,612 56
To cash paid for damages for right of way and materials for use of road,	5,736 55
To cash paid contingent expenses of road, embracing engineer and other officers salaries, building gate houses, &c. &c. &c.	27,501 23
To cash paid contractors,	302,871 46
To cash paid same in notes of the company,	61,825 00
To amount of company's notes issued to individuals for money borrowed,	11,700 00
To cash p'd individuals for money borrowed,	7,450 00
To do. paid for redemption of company's notes,	10,290 00
Balance cash on hand,	4,523 29
	<u>\$437,510 09</u>

CONTRA.

1836.

	Cr.
Jan'y 1. By this amount of stock paid as per statement above,	395,204 79
By fines collected,	7 55
By cash loaned the company by individuals in part of the subscription of \$70,000, for which the notes of the company were issued,	11,700 00
By this amount of company's notes issued above the amount of \$70,000,	3,525 00
By balance of total account,	27,072 75
	<u>\$437,510 09</u>

WILL. HUSTON, JR. *Treasurer.*

[B]

STATEMENT of the Toll account of the Maysville, Washington, Paris,
and Lexington Turnpike Road.

TOLL ACCOUNT.

	Dr.
1831, Oct. 1. To repairs of road, and contingencies of gates to this date,	433 00
1832, Nov. 26, To ditto to this date,	1,140 78
1833, Dec. 25, To ditto to this date,	2,832 87

1834, Dec. 25,	To ditto to this date,	4,850 91
1836, Jan'y 1,	To ditto to this date,	16,879 10
	To dividends paid up to 1st Oct. 1831,	715 00
	To do. paid up to 26 Nov. 1832,	5,189 30
	To do. paid up to 25 Dec. 1833,	487 70
	To do. paid up to 25 Dec. 1834,	131 70
	To do. paid up to 1 Jan'y, 1836,	76 00
	To do. entered to credit stockholders in payment of stock,	1,317 50
	Balance,	27,072 75
		<u>\$61,126 61</u>

CONTRA.

1836.		Cr.
Jan'y 1,	By amount of tolls received from 6th Nov. 1830, to 26th Nov. 1832,	9,620 56
	By amount of same received from 26th Dec. 1833, to 25th Dec. 1834,	13,844 35
	By amount of same received from 25th Dec. 1834, to 1st January, 1836,	26,984 92
		<u>\$61,126 61</u>

		Dr.
1833, April 1.	To this amount of tolls appropriated this date to pay interest account,	2,214 45
1833, Oct. 1.	To ditto appropriated this date for same, and to redeem notes of the company,	3,512 84
1834, April 1,	To ditto appropriated this date for same object,	2,954 15
1834, Oct. 1.	To ditto appropriated this date for same,	5,455 24
1835, April 1.	To ditto appropriated for same,	2,344 80
1835, Oct. 1.	To ditto do. do.	6,519 00
1836, Jan'y 1.	To balance of tolls received Oct. 1st, un- appropriated,	3,675 47
	To dividends unpaid,	396 80
		<u>\$27,072 75</u>

By balance brought down and carried to gen-
eral account,

Cr.
27,072 75
<u>\$27,072 75</u>

WILL. HUSTON, JR. *Treasurer.*

[c]

STATEMENT of the Dividend account.

DIVIDEND ACCOUNT.

		Dr.
1831, Oct. 1.	To dividends paid to this date,	715 00
1832, Nov. 24.	To do. paid to this date,	5,182 30
1833, Dec. 25.	To do. paid to this date,	487 70
1834, Dec. 25.	To do. paid to this date,	131 70
1836, Jan'y 1.	To do. paid to this date,	76 00
	To do. credited to stockholders in payment of stock,	1,317 50
	To balance of dividend rem'ning unpaid,	396 80
		<hr/> \$8,314 00 <hr/>

CONTRA.

		Cr.
1831, April 1.	By amount of dividends declared this day on stock held in road from Maysville to south end of Washington,	1,500 00
1831, Oct. 1.	By ditto declared this day on same stock,	1,950 00
1832, April 1.	By ditto declared this day on same stock,	1,760 00
1832, Oct. 1.	By ditto declared this day on same stock,	2,400 00
1833, April 1.	By ditto declared this day on same stock up to 1st January, 1833, at which time the Maysville and Washington road came into partnership, or was amalga- mated with the balance of the road to Lexington,	704 00
		<hr/> \$8,314 00 <hr/>

WILL. HUSTON, JR. *Treasurer.*

[D]

*Commonwealth of Kentucky in account with the Maysville, Washing-
ton, Paris and Lexington Turnpike Road Company.*

		Dr.
1830	To subscription of 250 shares stock,	\$25,000 00
1831	To do of 500 do do	50,000 00
1833	To do of 500 do do	50,000 00
1835	To do of 192 do do	19,200 00
		<hr/> \$144,200 00 <hr/>
1836, Jan'y. 1,	To balance due,	\$560 31

CONTRA.

		CR.
1830, Sept. 15.	By cash for warrant of 10th inst.	\$2,500 00
1830, Dec. 7.	By do for do of 13th ult.	2,500 00
1831, Jan. 20.	By do for do of 14th inst.	2,500 00
1831, May 10.	By Warrant of 27th ult.	5,000
	Disc't. int. charged by	
	Com. Bank,	100
		4,900 00
1831, June 11.	By cash for warrant of 7th ult.	5,000 00
1831, June 11.	By do for do of 7th ult.	2,500 00
1831, July 29.	By do for do of 19th inst.	5,000 00
1831, Oct. 29.	By do for do of 11th inst.	1,000 00
1831, Oct. 29.	By Warrant of 11th inst.	5,150
	Deduct int. charged by Bank of Kentucky,	150
		5,000 00
1831, Dec. 17.	By cash for warrant of 11th Oct.	5,000 00
1832, Ap'l. 14.	By do for do of 9th inst.	5,000 00
1832, June 28.	By do for do of this date,	3,000 00
1832, Aug. 2.	By do this date,	9,000 00
1832, Nov. 12.	By State Treasurer's check on	
	Com. Bank,	5,115
	Of interest charged by Bank of Kentucky,	115
		5,000
1833, Jan. 21.	By State Treasurer's check of	
	12th Nov. 1832, on Com. Bank,	1,735
1833, April 24.	By cash in part of Treasurer's	
	check of same date for	500
		2,047 82
1833, Oct. 12.	By bal. of same check—say	2,952 18
	Of int. charged by Bank of Kentucky,	108 98
		2,843 20
1834, Jan. 20.	By cash for State Treasurer's	
	checks of 12th Nov. 1832,	
	on Com. Bank,	10,000 00
1833, Oct. 17.	By cash on account of last sub-	
	scription of \$50,000	17,000 00
1834, Jan. 24.	By do on account of same,	2,750 00
1834, Feb. 6.	By do on do of do	5,000 00
1834, Apl. 22.	By do on do of do	4,000 00
1834, Oct. 13.	By do on do of do	1,913 67
1834, Dec. 22.	By do on do of do	7,250 00
1835, Jan. 8.	By do on do of do	4,000 00
1835, Mar. 16.	By do on do of do	2,000 00
1835, June 16.	By do in full of subscrip-	
	tion of 1835,	19,200 00
1835, Dec. 8.	By do on account of last	
	subscription of \$50,000,	6,000 00
	Balance,	560 31
		<u>\$144,200 00</u>

[E]

STATEMENT of the balances due to Contractors.

BALANCE DUE ON OLD CONTRACTS.

To Thomas Graham 2d sec. 2nd division,	\$53 46
To Wood and Melloan,	213 55
To Thomas Graham,	30 74
To John Marshall, 8th and 9th sec. 5th div.	340 58
To L. V. Wernwag on 4 bridges,	1,150 00
To same on Paris bridge,	800 00
To M. Henry, 1st sec. 2d div.	8 00
	<hr/>
	\$2,596 43

BALANCE DUE CONTRACTORS ON LAST CONTRACTS.

	Scrip.	
L. Sandford, (Licking bridge,)	905 00	605 94
J. S. Melloan, 7th sec. 3rd div.	100 00	105 10
James Maguire, 8th sec. 3d div.	140 00	42
L. V. Wernwag, Licking bridge,		810 80

\$1,145 00 \$4,117 89
WILL. HUSTON, JR. *Treasurer.*

January 1, 1836.

Ordered, That the public printer print one hundred and fifty copies thereof, for the use of the General Assembly.

Mr. Guthrie presented the petition of Basil N. Hobbs, and John B. Hundley and Urath O. Hundley, his wife, praying for the passage of a law authorizing a sale of certain slaves conveyed by Benjamin L. Dorsey, to the said Hobbs, in trust for the use of the said Urath and her children; and that the proceeds be vested in real estate.

Which was received and referred to the committee of Courts of Justice.

Mr. Guthrie presented the petition of Holland S. Thacker, praying a divorce from his wife, Nancy Thacker.

Which was received and referred to the committee of Religion.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to authorize Judge Kelly, to hold a call court in Marion county.

An act for the benefit of Reuben Elliott.

An act to amend the law in relation to restraining orders in chancery.

An act to amend an act to authorize the sale of certain lands belonging to Edmund H. Taylor.

An act to amend the act, entitled, an act regulating the prices of taking up boats and crafts on the Ohio river.

An act for the benefit of the widow and heirs of John Smith, M.

And an act for the benefit of Sarah Ann and Henry Stemmons,
Reported the same without amendment.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Washington county, and for other purposes,

Reported the same without amendment.

The said bill was re-committed to a committee of Messrs. McDonald, S. Young and Boyd.

Mr. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Mary E. Stansbury,

Reported the same with an amendment;

Which was twice read and concurred in.

Ordered, That the said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of C. M. Vaught;

Reported the same with the opinion of the committee that it ought not to pass.

The question being taken on reading the said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. Guthrie, from the same committee, to whom was referred the following bills, viz:

A bill to regulate the service of process in certain cases.

And a bill to amend the criminal laws of this Commonwealth, and for other purposes.

Reported the same, with the opinion of the committee that they ought not to pass.

The question being taken on engrossing the said bills and reading them a third time, it was decided in the negative, and so the said bills were rejected.

Mr. Guthrie, from the same committee, to whom was referred

the petition of Henry McAtee, Susanna McAtee, and James H. Gough, praying for the passage of a law authorizing a sale of a tract of land in Scott county, devised by Ignatius Gough, dec'd. to the said Susanna and James H. Gough, and others, reported the same with the following resolution thereon, viz:

Resolved, That the said petition be rejected.

Which was twice read and concurred in.

Mr. Daviess, from the committee of Propositions and Grievances, reported a bill for the benefit of John P. Porter;

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Propositions and Grievances.

Mr. Hanson, from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled, an act to amend the several acts of the General Assembly, in relation to the Deaf and Dumb Asylum at Danville,

Reported the same with an amendment;

Which was twice read and concurred in.

Ordered, That the said bill be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for an appropriation to the Allen Seminary of Learning,

Reported the same without amendment.

The said bill was ordered to be read a third time, and it is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of five hundred dollars be, and the same is hereby appropriated for the benefit of the Allen county Seminary, and the same is hereby directed to be paid out of any money in the Treasury not otherwise appropriated.

Mr. Grider moved to dispense with the rule of the Senate, constitutional provision, and third reading of the said bill.

Mr. Daviess moved to lay the said bill on the table until the first day of June next.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Daviess and Grider, were as follows, viz:

YEAS—Messrs. Boyd, Bush, Daviess, Hanson, James, Lusk,

May, Miller, Parker, Patterson, Smith, Southgate, Thornton and S. Young—14.

NAYS—MR. SPEAKER, MESSRS. Bramlette, Carter, Coffey, Gilbert, Grider, Guthrie, Harreld, Lyon, McDonald, McHenry, Metcalfe, Morehead, Morgan, Murrell, Roberts, Sisk, Watkins, and A. Young—19.

The rule of the Senate, constitutional provision, and third reading of the said bill was then dispensed with.

The question being taken on the passage of the said bill, it was decided in the negative; and so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. Daviess and Grider, were as follows, viz:

YEAS—MR. SPEAKER, MESSRS. Bramlette, Grider, Guthrie, Harreld, Lyon, McDonald, McHenry, Morehead, Murrell, Roberts, Sisk and Watkins—13.

NAYS—Messrs. Boyd, Bush, Carter, Coffey, Daviess, Gilbert, Hanson, James, Lusk, May, Metcalfe, Miller, Morgan, Parker, Patterson, Smith, Southgate, Thornton, A. Young and S. Young—20

A message was received from the House of Representatives, requesting leave to withdraw the report from that House to the Senate that they had concurred in the amendments proposed by the Senate, to a bill from that House, entitled, an act to amend an act to provide for the improvement of the road from Franklin county to Crab Orchard in Lincoln county, with an amendment.

Whereupon, leave was granted.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred, a bill declaring the Middle Fork of the Kentucky river a navigable stream up to the mouth of Laurel on said Fork; reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Metcalfe, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to authorize the stockholders of the Covington and Lexington turnpike road company, to vote whether Dry Creek Post Office, shall or not be a point in said road;

Reported the same without amendment.

The said bill was referred to a committee of Messrs. Southgate, Metcalfe and Thornton.

Mr. Metcalfe, from the same committee, to whom was referred

a bill from the House of Representatives, entitled, an act to amend an act, entitled, an act to incorporate the Covington and Cincinnati Manufacturing Company,

Reported the same with an amendment;

Which were twice read and concurred in.

Ordered, That the said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Grider, from the same committee, to whom was referred a bill to incorporate a company to construct a turnpike road from Springfield to Maxville, and thence to intersect the Crab Orchard road at Harrodsburg;

Reported the same with amendments;

Which were twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Murrell, from the committee of Enrolments, reported that the committee had examined enrolled bills and a resolution of the following titles, viz:

An act for the benefit of the administrator and heirs of Joseph Haydock.

An act for the benefit of the heirs of Samuel Lovejoy, dec'd.

An act for the benefit of Judith P. Thornton and her children.

An act concerning the number of justices of the peace for the county of Hardin.

An act to regulate the commencement of the Boone and Grant circuit courts.

An act for the benefit of the heirs of Benjamin Mills, deceased, and for other purposes.

An act for the benefit of Philip Graves of Boone county.

An act to amend an act, entitled, an act for the Internal Improvement of the State of Kentucky, approved 28th February, 1835.

An act to change the time of the meeting of the General Assembly.

And an act for the divorce of Zellica Clow.

An act for the divorce of Elizabeth Whitaker.

An act authorizing the county court of Rockcastle county, to sell a part of the public ground in the town of Mount Vernon.

An act for the benefit of Yelverton D. Booker.

An act to repeal the first section of an act, entitled, an act to

amend an act establishing a Female Academy in the town of Harrodsburg, and reviving the third section of the act thereby repealed.

And an act to establish three additional election precincts in the counties of Estill and Perry, and for other purposes.

And a resolution in relation to the navigation of Cumberland river, and the extension of certain roads into the State of Tennessee.

And had found the same truly enrolled. The said bills and resolution had been signed by the Speaker of the House of Representatives.

Whereupon, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Roberts—1. A bill giving the trustees of Elizabethtown more power than they now have by law.

On the motion of Mr. Carter—2. A bill to amend the law allowing compensation for killing Wolves in this Commonwealth.

On the motion of Mr. McHenry—3. A bill to increase the jurisdiction of justices of the peace to one hundred dollars, and make all their decisions subject to an appeal, all sums over twenty dollars to the circuit court; and all under twenty dollars, to the county court; and to prevent them from charging any fee on any sum under five dollars; and also to reduce the fees of clerks and other offices; and

On the motion of Mr. Morgan—4. A bill to incorporate the White Sulphur Spring Hotel Company in the county of Fleming.

Messrs. Roberts, Daviess and Guthrie, were appointed a committee to prepare and bring in the first; Messrs. Carter, James and Smith, the second; Messrs. Morgan, Carter and Lyon, the fourth, and the committee of Courts of Justice, was directed to prepare and bring in the third.

On the motion of Mr. Daviess—

Resolved, That the committee on Military Affairs, be instructed to enquire into the propriety and expediency of passing a law to improve the State Arsenal, so as to render it fire proof; and also to provide for airing the different apartments of said Arsenal, so as to preserve the arms from rusting.

Mr. Roberts, from the committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the charter of the Shepherdsville and Elizabethtown turnpike road company,

Reported the same with amendments;

Which were twice read and concurred in.

Ordered, That the said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Murrell, from the committee, to whom was referred a bill from the House of Representatives, entitled, an act to establish the town of Edmonton, in Barren county,

Reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Daviess—1. A bill to incorporate the town of Harrodsburg.

By Mr. Boyd—2. A bill for the benefit of Elizabeth Logan's heirs; and 3. a bill to incorporate a company to construct a turnpike road from Shelbyville, to a point of intersection with the contemplated Raid Road, near Christiansburg in Shelby county.

By Mr. Guthrie—4. A bill to amend the charters of the Bank of Louisville, and the Louisville Savings Institution.

The said bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the first, second and third bills having been dispensed with, the first and second, were referred to the committee of Courts of Justice, and the third to the committee of Internal Improvements.

The rule of the Senate, constitutional provision, and second and third readings of the fourth bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Miller, leave was given to report a bill to regulate the salary of the Governor.

Which bill was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter, the annual salary of the Governor of Kentucky, shall be dollars.

Ordered, That said bill be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

Mr. Carter moved to fill the blank therein, with "three thousand."

Mr. Watkins moved to fill the said blank, with "four thousand."

And Mr. Daviess moved to fill it with "two thousand five hundred."

The question was taken on filling the said blank with "four thousand," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Daviess and Morgan, were as follows, viz:

YEAS—Messrs. Carter, Guthrie, Watkins and Woolley—4.

NAYS—MR. SPEAKER, Messrs. Boyd, Bramlette, Bush, Coffey, Daviess, Gilbert, Grider, Hanson, Harreld, James, Lyon, McDonald, McHenry, May, Metcalfe, Miller, Morehead, Morgan, Murrell, Parker, Patterson, Roberts, Sisk, Southgate, Thornton, A. Young and S. Young.—28.

The question was then taken on filling the said blank with "three thousand," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Grider and Murrell, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bush, Carter, Gilbert, Grider, Guthrie, Hanson, May, Miller, Thornton, Watkins, Woolley and S. Young—14.

NAYS—Messrs. Bramlette, Coffey, Daviess, Harreld, James, Lusk, Lyon, McDonald, McHenry, Metcalfe, Morehead, Morgan, Murrell, Parker, Patterson, Roberts, Sisk, Southgate and A. Young—19.

The question was then taken on filling the said blank, with two thousand five hundred, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Parker and Murrell, were as follows viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bramlette, Bush, Carter, Coffey, Daviess, Gilbert, Grider, Guthrie, Hanson, Harreld, Lusk, McDonald, May, Metcalfe, Miller, Morehead, Morgan, Murrell, Patterson, Roberts, Smith, Southgate Thornton, Watkins, Woolley, A. Young and S. Young—29.

NAYS—Messrs. James, Lyon, McHenry, Parker and Sisk—5.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Daviess, the votes by which the said bill was ordered to be engrossed and read a third time, and by which it was passed, were re-considered; and

On the motion of Mr. Daviess, the said bill was amended, by striking out the word "*hereafter*," printed in italics, and inserting in lieu thereof, the words, "from and after the term of the present Lieutenant and acting governor."

Ordered, That the said bill be re-engrossed, and again read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being re-engrossed.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Leave having been given the following bills were reported:

By Mr. Boyd—1. A bill to incorporate the Kentucky Mining Company.

By Mr. Guthrie—2. A bill to amend the charter of the Bardstown and Green River turnpike road company; and

By Mr. Southgate—3. A bill to incorporate the Newport Lyceum.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, the first was referred to the committee of Courts of Justice; the second to the committee of Internal Improvements; and the third to committee of Education.

Mr. Patterson moved that a message be sent to the House of Representatives, requesting leave to withdraw the report from the Senate, of the passage of a bill from that House, entitled, an act to appropriate a sum of money to build a Seminary of Learning at Brandenburg.

The question being taken thereon, it was decided in the negative.

Mr. James moved to take up the resolution read and laid on the table by him on the fourth instant, fixing on a day for the adjournment of the General Assembly.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. James and Murrell, were as follows, viz:

YEAS—Messrs. Bramlette, Bush, Coffey, Grider, Guthrie, Hanson, James, Lusk, Lyon, McDonald, McHenry, Metcalfe, Morehead, Morgan, Murrell, Sisk, Southgate, Thornton Watkins and A. Young—20.

NAYS—MR. SPEAKER, Messrs. Boyd, Carter, Daviess, Gilbert, Harrell, May, Parker, Patterson, Roberts, Smith, Woolley and S. Young—13.

Mr. Woolley, moved to amend the said resolution by striking out "Saturday, the 20th instant," the day fixed on in the said resolution, to adjourn.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. James and Murrell, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bramlette, Carter Daviess, Gilbert, Grider, Hanson, Harreld, McDonald, May, Miller, Parker, Patterson, Roberts, Sisk, Smith, Southgate, Thornton, Watkins, Woolley and S. Young—22.

NAYS—Messrs. Coffey, Guthrie, James, Lusk, Lyon, McHenry, Metcalfe, Morehead, Morgan, Murrell and A. Young—11.

Mr. Woolley moved to fill the blank with the "seventh of March."

And Mr. Hanson moved to fill the blank with the "twenty second instant."

Mr. Daviess then moved to lay the said resolution on the table. The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Thornton and Murrell, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Bramlette, Bush, Daviess, Gilbert, Guthrie, Harreld, McDonald, May, Miller, Parker, Patterson, Roberts, Smith, Southgate, Woolley and S. Young—17.

NAYS—Messrs. Boyd, Carter, Coffey, Grider, Hanson, James, Lusk, Lyon, McHenry Metcalfe, Morehead, Morgan, Murrell, Sisk, Thornton, Watkins and A. Young—17.

On the motion of Mr. Guthrie, the said resolution was laid on the table, until Friday next.

On the motion of Mr. Coffey, a message was sent to the House of Representatives, requesting leave to withdraw the report of the disagreement of the Senate, to a bill from that House, entitled, an act for the benefit of Aaron Allison.

After a short time, the said bill was returned to the Senate.

On the motion of Mr. Roberts, the vote was re-considered, by which the Senate concurred in the amendment proposed by the House of Representatives, to a bill from the Senate entitled, an act to incorporate the Franklin Bridge Company, and the said bill and amendment were referred to a committee of Messrs. Roberts, Hanson, Daviess, Guthrie and Metcalfe.

And then the Senate adjourned.

TUESDAY, FEBRUARY 9, 1836.

Mr. James presented the petition of sundry citizens of the counties of Hickman and McCracken, praying for the formation of a new county out of a part of each of said counties.

Mr. Hanson presented the proceedings of a public meeting of the citizens of Clarke county, in relation to the Charleston and Cincinnati Rail Road.

Which were each received, the former was referred to the committee of Propositions and Grievances, and the latter to the committee of Internal Improvements.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

1. An act to incorporate the Elizabethtown Circulating Library Company.

2. An act to incorporate the Union White Sulphur Springs company.

3. An act to incorporate the Newport, Falmouth, Cynthiana, Paris and Winchester turnpike road company; and

4. An act to incorporate the Elizaville and Mayslick turnpike road company;

With amendments to the second and fourth bills.

The amendments to the second bill, were twice read and concurred in.

And that they had passed bills of the following titles, viz:

An act to incorporate the Stanford and Lancaster turnpike road company.

An act to authorize certain county courts to appoint Constables and Magistrates.

An act to change the time of holding the Logan county court.

An act for the benefit of the town of Danville.

An act to repeal in part, and modify the 23d section of an act approved 8th February, 1834, entitled, an act to amend and reduce into one the several acts constituting Boards of Internal Improvement for Shelby and Franklin counties.

An act subjecting to county levy, in the counties of Caldwell and Livingston, all slaves that may each year hereafter be hired or otherwise introduced into said counties.

An act for the benefit of the Monroe Seminary of Learning.

An act for the purpose of building a bridge across Chaplain river, where the road from Harrodsburg to Springfield crosses the same; and

An act for the benefit of John A. Davenport and John Cunningham.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred the petition of the widow and heirs of Samuel Shannon, deceased, reported the following resolution thereon, viz:

Resolved, That the said petition be rejected.

Which was twice read and concurred in.

Mr. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of William C. Connett, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Guthrie, from the same committee, to whom was referred the following bills, viz:

A bill for the benefit of Elizabeth Logan's heirs

A bill to amend the charter of the city of Covington.

A bill to incorporate the Kentucky Mining Company; and

A bill to repeal in part an act amendatory to the several acts relating to the town of Newport in Campbell county, approved February 24th, 1834; and also amendatory thereof, reported the same without amendment.

Ordered, That the said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Guthrie, from the same committee, to whom was referred a bill to incorporate the town of Harrodsburg, reported the same with an amendment, which was twice read and concurred in.

The said bill was further amended, and ordered to be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title be amended to read, an act to incorporate the towns of Harrodsburg and Danville.

Mr. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend an act, entitled, an act vesting jurisdiction in the circuit courts, to authorize the sale of the real estate of infants in certain cases, reported the same with an amendment, which was twice read, amended, and concurred in.

Ordered, That the said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to change the present mode of summoning jurors in this Commonwealth, and to provide for their compensation;

Reported the same with the opinion of the committee that it ought not to pass.

The said bill was placed in the orders of the day.

Mr. Hanson, from the same committee, reported a bill to extend the jurisdiction of justices of the peace, to debts not exceeding one hundred dollars; which was read the first time.

Mr. Willis moved to lay the said bill on the table until the first day of June next.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McHenry and Hanson, were as follows, viz:

YEAS—Messrs. Boyd, Bush, Carter, Daviess, Grider, Guthrie, Jessup, May, Miller, Murrell, Parker, Roberts, Southgate, Thornton, Willis, Woolley and S. Young—17.

NAYS—MR. SPEAKER, Messrs. Bramlette, Coffey, Gilbert, Hanson, Harreld, James, Lyon, McDonald, McHenry, Metcalfe, Morehead, Morgan, Patterson, Sisk, Smith, Watkins and A. Young—18.

Mr. Roberts then moved to lay the said bill on the table.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and Parker, were as follows, viz:

YEAS—Messrs. Boyd, Bush, Carter, Daviess, Grider, Guthrie, Jessup, May, Miller, Murrell, Parker, Roberts, Southgate, Thornton, Willis, Woolley and S. Young—17.

NAYS—MR. SPEAKER, Messrs. Bramlette, Coffey, Gilbert, Hanson, Harreld, James, Lusk, Lyon, McDonald, McHenry, Metcalfe, Morehead, Morgan, Patterson, Sisk, Smith, Watkins and A. Young—19.

Ordered, That the said bill be read a second time.

Mr. Daviess, from the committee of Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled, an act to reduce into one the several acts regulating the town of Nicholasville, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Miller, from the committee of Religion, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of Hannah Hunter; and

An act for the benefit of Hezekiah and Fanny Duzan.

Reported the same with the opinion of the committee that they ought not to pass.

The said bills were re-committed to the committee of Religion.

Mr. Miller, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Frances Taylor.

Reported the same with the opinion of the committee that it ought not to pass.

The question being taken on reading the said bill a third time, it was decided in the negative; and so the said bill was disagreed to.

Mr. Bush, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act concerning the town of Elizabeth, in the county of Hardin.

An act for the benefit of John and Lucy Vining.

An act to incorporate the Louisville Dock Company.

An act to amend an act, entitled, an act to incorporate the Newport Manufacturing company.

An act to incorporate the Bowlinggreen and Double Spring turnpike road company.

An act to incorporate the Bowlinggreen Portage rail way company.

An act to improve the State road from Mountsterling to the Virginia State line by way of Prestonsburg and Pikeville.

An act to incorporate a company to construct a turnpike road from Taylorsville, in Spencer county, to intersect the turnpike road from Bardstown to Louisville.

An act to incorporate a company to turnpike a road from Greensburg, by way of Columbia, Jamestown and Monticello, to the Tennessee State line, in a direction to Knoxville.

An act for the benefit of the county of Jefferson, and the city of Louisville.

An act establishing an election precinct in the county of Hardin, and for other purposes; and

An act to appropriate the fines and forfeitures of Green county, to the New Athens Academy.

And had found the same truly enrolled.

That the said bills had been signed by the Speaker of the House of Representatives.

Whereupon, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Bush reported that the committee had performed that duty.

Mr. Miller, from the committee of Religion, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of Euphemia L. Schooler; and

An act for the divorce of Ruth Hall.

Reported the same with the opinion of the committee that they ought not to pass.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Miller, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Rebecca Shepherd, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Miller, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Thomas S. Ellison, reported the same without amendment.

Mr. Metcalfe moved to lay the said bill on the table.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Bramlette and Watkins, were as follows, viz:

YEAS—Messrs. Boyd, Bush, Carter, Grider, Harreld, Lusk, Lyon, Metcalfe, Morgan, Patterson, Thornton, Watkins, Woolley and S. Young—14.

NAYS—MR. SPEAKER, MESSRS. Bramlette, Coffey, Daviess, Gilbert, Guthrie, Hanson, Jessup, McDonald, McHenry, May, Miller, Morehead,

Murrell, Parker, Roberts, Sisk, Smith, Southgate, Willis and A. Young—21.

The said bill was then re-committed to the committee of Religion.

Mr. Guthrie, from the committee of Courts of Justice, reported a bill for the benefit of Urith O. Hundley and her children; and

Mr. Metcalfe, from the committee of Internal Improvements, reported a bill to incorporate the Cumberland Rail Road and Navigation Company.

Which bills were each read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the Louisville, Cincinnati and Charleston Rail Road Company, reported the same with amendments.

The said bill and amendments were referred to a committee of the whole House on the State of the Commonwealth, for Friday next.

Mr. Metcalfe, from the same committee, to whom was referred a bill to amend the charter of the Bardstown and Green River turnpike road company, reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Murrell, from the committee of Enrolments, reported that the committee had examined enrolled bills, and preamble and resolutions of the following titles, viz:

An act for the benefit of Pandora A. Huff.

An act for the benefit of Thomas B. Megowan, jailer of Fayette county.

An act for the benefit of Sarah More.

An act for the benefit of John H. Combs.

An act to change the place of elections in the Lower Blue Lick precinct in Nicholas county.

An act to authorize the Pulaski county court to construct a gate across the road from Somerset to Monticello.

An act to authorize John S. Anderson, to build gates across a certain road in Montgomery county.

An act to establish a town on the lands of Westley Hicks, in the county of Graves.

An act for the benefit of the committee of David Ford.

An act to authorize the purchase of scientific books for the use of the Engineer Department of the State.

An act authorizing the sale of certain land belonging to the infant heirs of Samuel Bradley, deceased.

An act to incorporate and extend the limits of the town of London; and to extend the limits of the town of Richmond.

An act for the benefit of Keziah Branham.

And preamble and resolutions in relation to the revenue arising from the sale of public lands.

And had found the same truly enrolled.

The said bills and preamble and resolutions had been signed by the Speaker of the House of Representatives.

Whereupon, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill, defining the powers and duties of the Board of Internal Improvement, and for other purposes, reported the same with amendments, which were twice read and concurred in.

Mr. Sisk moved to amend the said bill by adding thereto, the following sections, viz:

Be it further enacted, That the said Board shall, as soon as practicable, cause an accurate review and examination to be made by one or more of their Engineers of the road from the town of Henderson, and on by the way of Madisonville, Hopkinsville and to the State line on the nearest direction to Nashville, with a view of improving said road, by throwing up and grading the same and with ditches on the sides thereof wherever necessary, and upon said Report being laid before the Board of internal improvements, they shall proceed, as soon as practicable, to examine and investigate the same, and if said Board shall be of opinion, after such examination and investigation, that the improvement of said road in the manner proposed or any part thereof would be a work of public utility and advantageous to the counties through which the same is proposed to be made, it shall then, and in that event, be the duty of said Board to cause the same to be constructed, and that, for the purpose of constructing and improving the same, the sum of fifty thousand dollars is hereby appropriated out of the proceeds of the sale

of the scrip of the State, to be applied under the direction of the Board of internal improvements, and said Board shall be authorized upon the completion of said road, to cause toll gates to be erected thereon, and such toll to be collected at the same, as to them shall seem expedient, provided that such toll shall not exceed ten per cent per annum on the whole cost of said road.

Be it further enacted, That the engineer, in viewing said road, shall be authorized to change the same from the present route, whenever necessary, for the purpose of straightening said road, or running the same upon better ground, provided that Madisonville and Hopkinsville shall be points in said road, and provided further, that in the construction of said road: the Board of internal improvements shall cause the same to be commenced at the town of Hendersonville on the Ohio river, and continue the same as directed in the — section of this act: *Provided*, The said Board of internal improvement shall be of opinion the same will be a profitable investment to the State.

The question being taken on the adoption of the said amendment, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Hanson and Sisk, were as follows, viz:

YEAS—Messrs. Bramlette, Coffey, Daviess, McHenry, Miller, Morehead and Sisk—7.

NAYS—MR. SPEAKER, Messrs. Boyd, Bush, Carter, Grider, Guthrie, Hanson, Harreld, James, Jessup, Lusk, Lyon, McDonald, May, Metcalfe, Morgan, Parker, Patterson, Smith, Southgate, Thornton, Watkins, Willis, Woolley, A. Young and S. Young—26.

Mr. Daviess moved to amend the said bill by adding thereto the following provisos, viz:

Provided, however, That the Board hereby created, shall have full power and authority to withhold or refuse any of the specific appropriations in this act mentioned, if they shall be of the opinion after examination and duly considering the subject, that it would not be to the interest of the State to carry such specific appropriation into effect: and provided further, that whenever the said Board shall refuse or withhold any specific appropriation as contained in this act, it shall be their duty to report their reasons for so doing to the Legislature, during the first week of the next session thereafter.

Mr. Smith moved to re-commit the said bill and amendment to the committee of Internal Improvements.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Willis and Smith, were as follows, viz:

YEAS—Messrs. Coffey, McHenry, Patterson, Smith, Thornton Willis and S. Young—7.

NAYS—MR. SPEAKER, Messrs. Boyd, Bramlette, Bush, Carter, Daviess, Gilbert, Grider, Guthrie, Hanson, Harreld, Jessup, Lyon, McDonald, May, Metcalfe, Miller, Morehead, Morgan, Murrell, Parker, Roberts, Sisk, Southgate, Watkins, Woolley and A. Young—27.

The question was then taken on the adoption of the amendment moved by Mr. Daviess, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Daviess and Watkins, were as follows viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bush, Carter, Coffey, Daviess, Gilbert, James, McDonald, Metcalfe, Miller, Murrell, Patterson, Smith, Southgate, Thornton, Willis, A. Young and S. Young—19.

NAYS—Messrs. Bramlette, Grider, Guthrie, Hanson, Harreld, Jessup, Lyon, McHenry, May, Morehead, Morgan, Parker, Roberts, Sisk, Watkins and Woolley—16.

The 28th section of the said bill is as follows, viz:

Sec. 28. That the said board be, and are hereby authorized, to subscribe for stock in the Lexington and Ohio Rail Road Company, to the amount of two hundred thousand dollars; and for stock in the Green river Rail Road Company, to the amount of one hundred and fifty thousand dollars. The said two hundred thousand dollars in the Lexington and Ohio Rail Road Company to be paid by the said board in the same manner, and to the same amount, as the subscriptions by individuals or bodies corporate are paid: and the said one hundred and fifty thousand dollars to the Green river Rail Road, is not to be subscribed by the said board, until it satisfactorily appears to the board, that the same amount has been subscribed by individuals or bodies corporate, and the payments on the state subscription to be made in the same manner as to time and amount, as may be prescribed by the charter of said Green river Rail Road Company for the payments on the part of individuals or bodies corporate.

Mr. Metcalfe moved to amend the said section by striking out so much thereof, as relates to the Lexington and Ohio Rail Road Company.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Guthrie and Parker, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Metcalfe, Miller, Murrell, Patterson, Willis and S. Young—7.

NAYS—Messrs. Boyd, Bramlette, Bush, Carter, Coffey, Daviess, Gilbert, Grider, Guthrie, Hanson, Harreld, James, Jessup, Lyon, McDonald, McHenry, May, Morehead, Morgan, Parker, Roberts, Sisk, Smith, Southgate, Thornton, Watkins, Woolley and A. Young—28.

Mr. Guthrie moved to amend the said provisos moved by Mr. Daviess, by adding thereto these words, viz: "except the subscription to the Lexington and Ohio Rail Road which shall be absolute."

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Willis and Morehead, were as follows, viz:

YEAS—Messrs. Bramlette, Carter, Grider, Guthrie, Hanson, Harreld, Jessup, Lyon, McHenry, Metcalfe, Miller, Morehead, Morgan, Parker, Patterson, Roberts, Sisk, Southgate, Watkins and Woolley—20

NAYS—MR. SPEAKER, Messrs. Boyd, Bush, Coffey, Daviess, Gilbert, McDonald, May, Murrell, Smith, Thornton, Willis, A. Young and S. Young—14.

Mr. Grider moved to amend the said 23th section of the said bill by inserting after the words, "or bodies corporate," printed in italics, these words: "and then the stock on the part of the State shall be taken."

The question being taken on the adoption of the said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Willis and Morehead, were as follows, viz:

YEAS—Messrs. Bramlette, Carter, Grider, Guthrie, Hanson, Harreld, Jessup, Lyon, McHenry, Metcalfe, Miller, Morehead, Morgan, Parker, Patterson, Roberts, Watkins and Woolley—18.

NAYS—MR. SPEAKER, Messrs. Boyd, Bush, Coffey, Daviess, Gilbert, McDonald, May, Murrell, Sisk, Smith, Southgate, Thornton, Willis, A. Young and S. Young—16.

Mr. McHenry moved to amend the said bill by adding to the 22d section the following, viz:

And the Board of Internal Improvement shall have power, and are hereby directed, to send their Engineer to survey the Big South Fork of Cumberland river, as soon during the next summer as may best suit their convenience; and if said Engineer reports favorable to the improvement of said river, the said Board shall then be directed, and requested to expend, under the direction of their Engineer, the sum of ten thousand dollars for the improvement of said river.

The question being taken on the adoption of the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McHenry and Bramlette, were as follows, viz:

YEAS—Messrs. Bramlette, Coffey, Gilbert, Guthrie, Hanson, Jessup, Lyon, McHenry, Metcalfe, Morehead, Parker, Sisk and Smith—13.

NAYS—MR. SPEAKER, Messrs. Boyd, Bush, Carter, Daviess, Grider, Harreld, McDonald, May, Miller, Morgan, Murrell, Patterson, Roberts, Southgate, Thornton, Watkins, Willis, Woolley, A. Young and S. Young—21.

The question was then taken on engrossing the said bill, and reading it a third time to-morrow; and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Daviess and Grider, were as follows, viz:

YEAS—Messrs. Bush, Carter, Daviess, Grider, Guthrie, Hanson, Harreld, James, Jessup, Lusk, Lyon, McDonald, May, Metcalfe, Morehead, Morgan, Parker, Patterson, Roberts, Smith, Southgate, Thornton, Watkins, Woolley and A. Young—25.

NAYS—MR. SPEAKER, Messrs. Boyd, Bramlette, Coffey, Gilbert, McHenry, Miller, Murrell, Sisk, Willis and S. Young—11.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 10, 1836.

Mr. William B. Blackburn, Speaker of the Senate, appeared and took the chair.

Mr. Parker presented the petition of Georgeann Vincent, praying a divorce from her husband, Alexandria W. Vincent.

Mr. Willis presented a copy of a record to be used as evidence on a bill from the House of Representatives entitled, an act for the benefit of Thomas S. Ellison.

Which were received and referred to the committee of Religion.

The resolution fixing a day for the election of public officers read and laid on the table by Mr. Watkins on the 4th instant, was taken up, twice read and amended, by striking out the "eleventh" and inserting the "fifteenth," and adopted.

Mr. Woolley, from the committee of Education, made the following report, viz:

The committee on Education, to whom was referred a resolution

to "examine and report the condition of the Public Library, and the manner of its management by the Librarian," in discharge of the duties assigned to them by said resolution, refer the Senate to the report made by the Librarian at the present session of the Legislature, as containing full information on all the subjects embraced in said reference, and beg leave to be discharged from the further consideration of the resolution.

A. K. WOOLLEY, *Chairman*.

M. LYON,

AQUILLA YOUNG,

WM. T. WILLIS,

SAMUEL LUSK.

February 10, 1836.

The said committee was discharged accordingly.

Mr. Woolley, from the same committee, to whom was referred a bill to incorporate a College in Shelbyville, Shelby county, reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Woolley, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to incorporate the Russelville Male Academy.

An act for the benefit of the Russelville Male Academy.

Reported the same without amendment.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the first bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Woolley, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the New Castle Female Academy, and for other purposes, reported the same without amendment.

The said bill was amended.

The eleventh, thirteenth and fourteenth sections of the said bill are as follows, viz:

§ 11. *Be it further enacted*, That whenever the President and Board of Trustees shall present their certificate in writing sworn to by the President, to the Auditor of Public Accounts, stating the fact, that two thousand dollars of stock subscribed for the use of said Academy is actually paid to said Trustees, the Auditor shall

thereupon issue his warrant to the Treasurer of the Commonwealth of Kentucky, in favor of said Trustees, for the sum of five hundred dollars, which sum, on the conditions aforesaid, is hereby appropriated to the said Academy, and the Treasurer aforesaid shall charge the same to the Literary Fund of this Commonwealth.

§ 13. *Be it further enacted*, That the sum of five hundred dollars, be, and the same is hereby appropriated for the benefit of the Madisonville Seminary to aid in completing and furnishing the same, and in procuring maps and books for the use of said institution, that the Auditor of Public Accounts shall not be required to issue his warrant in favor of the Trustees of the Madisonville Seminary, until said Trustees shall make it appear that the sum of two thousand has been expended, or is actually subscribed and ready to expend for the benefit of said Seminary of Learning.

§ 14. *Be it further enacted*, That it shall be the duty of the Auditor of Public Accounts, upon a majority of the Trustees of said Seminary, presenting an order for the same, to issue his warrant on the Treasurer of this Commonwealth for the sum of five hundred dollars, whose duty it shall be, to pay the same to said Trustees out of any money's in the Treasury not otherwise appropriated.

Mr. Willis moved to amend the said bill by striking out the said sections.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Willis and Parker, were as follows, viz:

YEAS—MR. SPEAKER, MESSRS. Boyd, Bush, Carter, Coffey Daviess, Gilbert, Hanson, Harreld, Lusk, May, Metcalfe, Miller, Morgan, Murrell, Parker, Patterson, Smith, Southgate, Thornton, Willis, Wingate, A. Young and S. Young—24.

NAYS—Messrs. Bramlette, Grider, Guthrie, James, Jessup, Lyon, McDonald, McHenry, Morehead, Roberts, Sisk and Woolley—12.

Ordered, That the said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Roberts, from the committee, to whom was referred a bill entitled, an act to incorporate the Franklin Bridg Company, with the amendment proposed thereto by the House of Representatives, reported the same with an amendment to the said amendment, which was twice read and concurred in.

Mr. Southgate, from the committee, to whom was referred a bill

from the House of Representatives, entitled, an act to authorize the stockholders of the Covington and Lexington turnpike road company, to vote whether Dry Creek Post Office shall or not be a point in said road, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. McDonald, from the committee, to whom was referred a bill from the House of Representatives, entitled, an act allowing an additional Magistrate and Constable to Washington county, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The amendment proposed by the House of Representatives, to a bill from the Senate, entitled, an act to incorporate the Elizaville and Mayslick turnpike road company, was twice read and concurred in.

An engrossed bill entitled, an act to establish the county of _____ was read the third time.

Resolved, That the said bill do pass, and that the title thereof be, an act to establish the county of Clinton.

On the motion of Mr. Woolley—

Leave was given to bring in the following bills, viz:

A bill for the relief of David Watts, Jr.

And a bill to regulate the practice of Dental Surgery in Kentucky.

Messrs. Woolley, Hanson and May, were appointed a committee to prepare and bring in the former, and the committee of Courts of Justice, was directed to prepare and bring in the latter bill.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Hanson, from the committee of Finance—1. A bill for the benefit of James McDowell, Jr. of Rockbridge county Virginia.

By Mr. Carter—2. A bill providing further compensation for killing wolves in this Commonwealth; and

By Mr. Roberts—3. A bill giving the trustees of Elizabethtown more power than they now have by law.

Which bills were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the first and second, and the second reading of the third bill, having been dispensed with, the third was referred to the committee of Courts of Justice; the first and second being engrossed.

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Woolley, from the committee of Education, to whom was referred a bill to incorporate the Newport Lyceum, reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Willis having obtained leave, reported a bill for the benefit of the Orphans' Asylum, of the city of Lexington.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision and second reading of the said bill having been dispensed with, it was referred to the committee of Finance.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate, to a bill from that House, entitled, an act to amend an act to provide for the improvement of the road from Franklin county to Crab Orchard in Lincoln county, with amendments; which amendments, were twice read and concurred in.

And that they had concurred in the amendmendments proposed by the Senate to bills from that House, of the following titles, viz: An act for the benefit of William Weeks.

An act to amend an act entitled, an act to appropriate the vacant lands of this Commonwealth, east and north of the Tennessee river, to the counties in which they lie, for the purposes of internal improvement.

An act to amend the Owingsville and Big Sandy turnpike road company.

An act allowing Spottswood Wilkinson, to sell an interest in certain real estate for the devisees of E. P. Wilkinson, deceased.

An act for the benefit of George Wymore.

An act to authorize the subscription of stock in the Louisville Bank of Kentucky.

An act to increase the revenue.

And that they had disagreed to a bill from the Senate, entitled, an act for the benefit of Martha and Lucius D. Gilbert.

And that they had passed bills from the Senate, of the following titles, viz:

An act to authorize the county court of Bourbon county, to increase the levy of said county, and for other purposes.

An act to authorize the Nicholasville, Harrodsburg and Perryville turnpike road company to build a bridge across the Kentucky river.

An act for the benefit of the widow and heirs of Samuel Woods, deceased.

An act incorporating the Union Agricultural Society.

An act for the benefit of the widow and heirs of Nelson C. Johnson, deceased.

An act for the benefit of the estate of Benjamin Cawthorn, dec'd.

An act for the benefit of the children of John Ball.

An act for the benefit of Eliza Maxfield and children.

An act for the benefit of John and Mary Jones, and their children.

An act to incorporate the Smithland General Insurance Company.

An act further to define the powers of the trustees of the town of Somerset in Pulaski county.

An act for the benefit of John Woods.

An act to establish the town of Dover, in Mason county.

An act to extend the limits of the town of Paducah.

An act for the benefit of Sarah Woods.

An act for the benefit of the devisees of Thomas Courtney, deceased.

An act to amend the charters of the Bank of Kentucky, and the Northern Bank of Kentucky.

An act authorizing the trustees of Mount Vernon, in Rockcastle county, to tax shows within one quarter of a mile of the limits of said town.

With amendments to each of the three last named bills.

And that they had passed bills of the following titles, viz:

An act respecting the liabilities of executors and administrators.

An act to authorize circuit courts to license the printers of newspapers to insert certain public orders and notices in their papers.

An act changing a precinct in Washington county.

An act to extend the terms of the McCracken circuit court, and to change the terms of the Calloway circuit court; and

An act for the benefit of the heirs of Mary Hornbeck.

And that they had concurred in a resolution from the Senate, to appoint joint committees to examine the Auditor's, Treasurer's and Registers Offices.

Whereupon, Messrs. Morehead, Harreld and Morgan, were appointed a committee on the part of the Senate, to examine the Auditors Office; Messrs. Willis, McDonald and S. Young, the Treasurer's Office; and Messrs. Lusk, Carter and A. Young, the Register's Office.

An engrossed bill, entitled an act defining the powers and duties of the Board of Internal Improvements, and for other purposes, was read the third time.

Mr. Thornton moved to amend the said bill by adding thereto the following engrossed section by way of rider.

Be it enacted, That one hundred and fifty thousand dollars shall be subscribed by the Board of Internal Improvement as stock for the State, in a Rail Road from the town of Paris, in Bourbon county, to the city of Covington or Newport, and the Governor for the time being, is required to issue the scrip of the State and sell the same as other scrip authorized by law to be sold: *Provided*, that the subscription of stock by individuals and corporations, in said Rail Road, shall be made to the amount of one hundred and fifty thousand dollars: *And provided*, that the said stock shall be paid at the same time and in same proportion that individual stock is paid: *And provided* said road shall be chartered within two years, or the points aforesaid from Paris to Covington or Newport should be designated as points in the Charleston and Cincinnati and Louisville Rail Road, either by law or order of the Directory of said Charleston, Louisville and Cincinnati Rail Road.

The question being taken on the adoption of the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Thornton and Morehead, were as follows, viz:

YEAS—Messrs. Bush, Gilbert, Hanson, McDonald, McHenry, May, Metcalfe, Miller, Patterson, Southgate, Thornton, Willis and A. Young—13.

NAYS—MR. SPEAKER, Messrs. Boyd, Bramlette, Carter, Coffey, Daviess, Grider, Guthrie, Harreld, James, Jessup, Lusk, Lyon, Morehead, Morgan, Murrell, Parker, Roberts, Sisk, Smith, Watkins, Wingate, Woolley and S. Young—24.

Mr. Willis moved that the further consideration of said bill be postponed, and that it be made the order of the day for to-morrow.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Willis and Parker, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bush, Coffey, Gilbert, James, Lyon, McDonald, McHenry, Metcalfe, Miller, Murrell, Parker, Patterson, Sisk, Smith, Southgate, Thornton, Willis, Wingate, A. Young and S. Young—22.

NAYS—Messrs. Bramlette, Carter, Daviess, Grider, Guthrie, Hanson, Harreld, Jessup, Lusk, May, Morehead, Morgan, Roberts, Watkins and Woolley—15.

The Senate resumed the consideration of the bill to fix the ratio and apportion the representation for the ensuing four years.

Mr. May withdrew the motion made by him to give one member to the county of Morgan.

Mr. Smith moved the following amendment to the first section of the bill, viz:

"Rockcastle county is constitutionally entitled to one representative; take one member from the county of Garrard, to supply that vacancy," so that the counties of Garrard, Rockcastle and Laurel, shall each have one member.

And then the Senate adjourned.

THURSDAY, FEBRUARY 11, 1836.

Mr. Roberts presented the petition of sundry citizens of Elizabethtown, praying for the passage of a law giving further power to the trustees of said town in relation to groceries and coffee houses.

Which was received and referred to the committee of Courts of Justice.

A message was received from the House of Representatives, announcing that they had passed a bill entitled, an act to amend an act approved 22d December, 1831, entitled, an act to incorporate the Green River Rail Road Company.

The said bill was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Internal Improvements.

Mr. Murrell, from the committee of Enrolments, reported that the committee had examined an enrolled bill, entitled, act to incorporate the Union White Sulphur Springs Company.

And had found the same truly enrolled.

The said bill had been signed by the Speaker of the House of Representatives.

Whereupon, the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Guthrie, from the committee of Courts of Justice—1. A bill concerning the town of Bowlinggreen.

By Mr. Daviess, from the committee of Propositions and Grievances—2. A bill for the benefit of John P. Porter.

By Mr. Hanson, from the committee of Finance—3. A bill for the benefit of the Orphans' Asylum of the city of Lexington.

The first without amendment, the second with an amendment, which was twice read and concurred in, and the third with the opinion of the committee that it ought not to pass.

The third bill was laid on the table.

Ordered, That the first and second be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the title of the first be as aforesaid, and that the title of the second be amended, by adding thereto "and the heirs and securities of Reuben Adams, deceased."

The following bills from the House of Representatives, were reported from the committee of Religion, to whom they had been referred, viz:

By Mr. Harreld, an act for the divorce of Pamela M. Parker.

And an act for the benefit of Eliza Davis.

By Mr. Wingate, an act for the benefit of Mary Brown.

And an act for the benefit of Thomas S. Ellison.

Without amendment to the three first, and with an amendment to the last named bill, which was twice read and concurred in.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third readings of the said bills having been dispensed with,

Resolved, That the said bills (the last as amended) do pass, and that the titles thereof be as aforesaid.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to incorporate the Carlisle, Flat Rock, North Middletown and Winchester turnpike road company.

An act to incorporate the Paris, North Middletown and Mounts Erling turnpike road company; and

An act to incorporate the Lebanon and Marion turnpike road company.

Reported the same, the third without amendment, and with amendments to the first and second bills, which were twice read and concurred in.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills (the first and second as amended) do pass, and that the titles be as aforesaid.

Mr. Metcalfe, from the same committee, to whom was referred the following bills, viz:

A bill to incorporate a company to construct a turnpike road from Shelbyville, to a point of intersection with the contemplated Rail Road, near Christiansburg in Shelby county.

A bill to incorporate a turnpike road leading from Elizabethtown to Bardstown, and for other purposes.

And a bill to incorporate the South-western Louisville turnpike road company; reported the same without amendment.

Ordered, That the said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Smith, from the committee of Military Affairs, made the following report, viz:

The committee on Military Affairs to whom was referred the nomination of John Morgan, to be Lieutenant Colonel of the 42nd Regiment, in the place of A. Stephens, according to order, have had the same under consideration, and have come to the following resolution.

Resolved, That the Senate do advise and consent to the said appointment.

The said resolution was twice read and concurred in.

Ordered, That Mr. Smith inform the Lieutenant and acting Governor thereof.

The nomination of Charlton Hunt, to be Major of the 42d Regiment, was taken up.

Resolved, That the Senate advise and consent to the said appointment.

Ordered, That Mr. Smith inform the Lieutenant and acting Governor thereof.

Mr. Smith, from the committee on Military Affairs, reported a bill to improve the State Arsenal.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Finance.

Mr. McDonald, from the committee to whom was referred a bill from the House of Representatives, entitled, an act for the

benefit of Washington county, and for other purposes, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Watkins, leave was given to bring in a bill to incorporate a company to construct a road from Cloverport to Harrodsburg.

On the motion of Mr. Guthrie, the votes by which a bill from the House of Representatives, entitled an act to amend the charter of the Louisville turnpike company was amended, ordered to be read a third time and passed, were re-considered.

The said bill was then amended, and again ordered to be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

The Senate resumed the consideration of an engrossed bill, entitled, an act defining the powers and duties of the Board of Internal Improvements, and for other purposes.

Mr. Thornton moved to amend the said bill, by adding thereto the following engrossed section, by way of rider, viz:

Be it enacted, That the sum of one hundred and fifty thousand dollars shall be subscribed by the Board of Internal Improvement in stock for the State in the Rail Road from the town of Paris, in Bourbon county, to the city of Maysville, and the Governor for the time being is required to issue the scrip of the State, and sell the same, as other scrip is authorized by law to be sold: *Provided*, that the subscription of stock by individuals and corporate bodies, in said rail road, shall be made to the amount of one hundred and fifty thousand dollars: *And provided*, that the said stock on the part of the State, shall be paid at the same time and manner, that the individual stock is paid: *And provided*, a charter for such Rail Road is granted by the Legislature, within two years, or the said towns of Paris and Maysville are made points in the Louisville, Cincinnati and Charleston Rail Road.

The question being taken on the adoption of the said amendment, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Metcalfe and Thornton, were as follows, viz:

YEAS—Messrs. Gilbert, Hanson, Lusk, McDonald, May, Metcalfe,

Miller, Morgan, Parker, Patterson, Smith, Southgate, Thornton, Willis, Woolley and A. Young—16.

NAYS—MR. SPEAKER, MESSRS. Boyd, Bramlette, Bush, Carter, Coffey, Daviess, Grider, Guthrie, Harrell, James, Jessup, Lyon, McHenry, Morehead, Murrell, Roberts, Sisk, Watkins, Wingate and S. Young—21.

Mr. James moved to amend the said bill by adding thereto the following engrossed section, by way of rider.

Be it further enacted, That it shall be the duty of the Board of Internal Improvements for the State of Kentucky to cause the streams west of the Tennessee river, (to which an appropriation is hereby made agreeably to the 28th section of this act) to be surveyed and examined by a competent engineer or engineers during the months of May or June next, and if after such survey and examination said engineer or engineers shall be of the opinion that it is practicable and would be beneficial to said district of country to improve the navigation of all or any of the streams hereby directed to be surveyed and examined, it shall, in that event, be the duty of the Board of Internal Improvements to cause the several sums to be expended during the present year, in the improvement of all or such streams, as said engineer or engineers may think it practicable to improve; and such appropriation is hereby declared absolute, and should said Board of Internal Improvements fail or neglect to have said streams surveyed and examined, within the time above specified, the appropriations hereby made agreeably to the provisions of the 28th section of this act, as regards the appropriations to the streams west of the Tennessee river, shall be, and the same are hereby declared to be absolute; and it shall then, and in that event, be the duty of said Board of Internal Improvements to cause the several sums hereby appropriated to the aforesaid streams, during the present year, and that five thousand dollars be appropriated to the improvement of the Cumberland river, below where the State line crosses said river, to its mouth, to be applied by the Board of Internal Improvement, if they think it expedient.

The Speaker decided that the said amendment was not in order, being inconsistent with the provisions of the bill.

Mr. Bush moved to amend the said bill by adding thereto the following engrossed section, by way of rider.

Be it enacted, That the sum of one hundred and fifty thousand dollars shall be subscribed by the Board of Internal Improvement in stock for the State, in a Rail Road from the town of Paris, in Bourbon county, to the city of Covington or Maysville, and the Governor for the time being, is required to issue the scrip of the State, and sell the same, as other scrip is authorized by law to be sold: *Provided*, that the subscription of stock by individuals and

corporate bodies in either of said Rail Roads shall be made to the amount of one hundred and fifty thousand dollars: *And provided*, that the said stock on the part of the State shall be paid at the same time and manner that the individual stock is paid: *And provided*, a charter for such, or either of such Rail Roads, is granted by the Legislature within two years: *And provided*, a company to construct a Rail Road from Charleston to Louisville, Cincinnati and Maysville, or from Charleston to either of those cities, shall not be incorporated by the Legislature of Kentucky.

The Speaker decided that the said amendment was not in order, the same propositions having been rejected by the Senate.

The question being taken on the passage of the said bill, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Willis and Grider, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Bush, Carter, Daviess, Gilbert, Grider, Guthrie, Hanson, Harreld, Jessup, McDonald, May, Metcalfe, Morehead, Morgan, Parker, Roberts, Smith, Southgate, Watkins, Woolley and A. Young—22.

NAYS—Messrs. Boyd, Bramlette, Coffey, James, Lusk, Lyon, McHenry, Miller, Murrell, Patterson, Sisk, Thornton, Willis, Wingate and S. Young—15.

Resolved, That the title of the said bill be as aforesaid.

A bill from the House of Representatives, entitled, an act to extend the terms of the McCracken circuit court, and to change the terms of the Calloway circuit court,

Was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The Senate resumed the consideration of a bill to fix the ratio and apportion the representation for the ensuing four years.

The question being taken on the motion of Mr. Smith, that Rockcastle county is constitutionally entitled to one representative, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Lusk, were as follows, viz:

YEAS—Messrs. Carter, Coffey, Gilbert, James, McDonald, May, Sisk, Smith, Wingate and A. Young—10.

NAYS—MR. SPEAKER, Messrs. Boyd, Bush, Daviess, Grider, Guthrie, Hanson, Harreld, Jessup, Lusk, Lyon, McHenry, Miller, Morehead, Morgan, Murrell, Parker, Patterson, Thornton, Watkins, Willis, Woolley and S. Young—23.

The question was then taken on taking one member from the county of Garrard, to supply that vacancy, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lusk and Smith, were as follows, viz:

YEAS—Messrs. Coffey, James, Lyon, McDonald, McHenry, May, Sisk, Smith and A. Young—9.

NAYS—MR. SPEAKER, Messrs. Boyd, Bush, Carter, Daviess, Gilbert, Grider, Guthrie, Hanson, Harreld, Jessup, Lusk, Miller, Morehead, Morgan, Murrell, Parker, Patterson, Thornton, Watkins, Willis, Wingate, Woolley and S. Young—24.

A bill from the House of Representatives, entitled, an act to repeal in part, and modify the 23d section of an act approved February 8th, 1834, entitled, an act to amend and reduce into one the several acts constituting the Boards of Internal Improvements for Shelby and Franklin counties,

Was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Internal Improvements.

And then the Senate adjourned.

FRIDAY, FEBRUARY 12, 1836.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the Springfield, Perryville and Danville turnpike road company, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Metcalfe, from the same committee, to whom was referred a bill to incorporate a company to construct a turnpike road from Frankfort, to Ghent, by way of Owenton and New Liberty, and to incorporate a company to construct a turnpike road from Georgetown to Warsaw, by way of Stamping Ground and Owenton, reported the same, without amendment.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed;

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives announcing that they had passed bills from the Senate, of the following titles, viz:

An act for the divorce of Virginia Thomas.

An act for the relief of Mary G. Overton.

An act to restore Philip King to the rights of an unmarried man.

An act for the benefit of George Calmes.

An act for the benefit of Urith O. Hundley, and her children.

And an act divorcing Sarah Crutcher from her husband James W. Crutcher.

With an amendment to the last named bill.

And that they had passed bills of the following titles, viz:

An act respecting the Bank of the Commonwealth.

An act for the benefit of Malinda R. Devers.

An act for the benefit of Mary Lightfoot.

An act for the benefit of Benjamin Craig.

And an act for the benefit of Abner W. Pepper.

An engrossed bill entitled, an act to prevent clerks from acting as attorneys at law in the circuit courts of their respective counties, was read the third time, as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That no county court clerk, or deputy clerk, of this Commonwealth, shall either directly, or indirectly, act as an attorney at law in the circuit and chancery courts of the respective counties wherein they are the county court clerk, or deputy clerk.

SEC. 2. That any county court clerk, or deputy clerk, who shall offend contrary to the provisions of this act, shall, besides being liable to impeachment and removal from office, for every action, suit, or motion, cause, or controversy, in which he shall appear as an attorney at law, in the said circuit court of the county wherein he is the county court clerk, or deputy clerk, forfeit and pay one hundred dollars, recoverable by action of debt, in any court of competent jurisdiction; one half to the use of the Commonwealth, and the other half to the use of the party suing therefor; or the penalty aforesaid may be recovered on a presentment of a grand jury, in the circuit court of the county in which the offence may be committed, for the use and benefit of the Commonwealth, and shall moreover be disqualified from acting as an attorney at law in consequence thereof, but his license as such, shall, upon conviction, become void.

Mr. Woolley moved to amend the said bill by adding thereto the following engrossed clause by way of rider, viz:

Be it further enacted, That from and after the passage of this act, no lawyer shall have recourse to a clerk's office, except by a copy obtained of any paper from said clerk or clerks; any clerk suffering a violation of this act, shall be subject to a fine of \$100; one half to the informer, and the other half for the use of the Commonwealth, to be recovered in any court of competent jurisdiction.

Mr. Willis moved to lay the said bill and amendment on the table until the first day of June next.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. S. Young and McDonald, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bramlette, Coffey, Daviess, Grider, Guthrie, James, Lusk, McDonald, McHenry, May, Parker, Patterson, Roberts, Smith, Thornton, Watkins, Willis and Woolley—20.

NAYS—Messrs. Bush, Gilbert, Hanson, Harreld, Jessup, Lyon, Metcalfe, Miller, Morehead, Murrell, Sisk, Southgate, Wingate, A. Young and S. Young—15.

On the motion of Mr. Guthrie, leave was given to withdraw the petition of the devisees of Ignatius Gough, deceased.

Mr. James moved to take up the resolution fixing a day for the adjournment of the General Assembly.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. James and Lyon, were as follows, viz:

YEAS—Messrs. Coffey, James, Lusk, Lyon, McHenry, Metcalfe, Morehead, Morgan, Sisk, Smith, Thornton, Watkins, Willis and A. Young—14.

NAYS—MR. SPEAKER, Messrs. Boyd, Bramlette, Bush, Daviess, Gilbert, Grider, Guthrie, Hanson, Harreld, Jessup, McDonald, May, Miller, Murrell, Parker, Patterson, Roberts, Southgate, Wingate, Woolley and S. Young—22.

Mr. Southgate presented the petition of Catharine Anderson, (who is under twenty one years of age) praying the passage of a law authorizing her to sell and convey an undivided interest in a tract of land in Campbell county.

Which was received and referred to the committee of Courts of Justice.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Murrell—A bill to enlarge the boundary of the town of Glasgow; and

On the motion of Mr. Hanson—A bill for the benefit of George P. Jouitt, and others.

Messrs. Murrell, Grider and Willis, were appointed a committee to prepare and bring in the first; and the committee of Courts of Justice, was directed to prepare and bring in the second.

A bill from the House of Representatives, entitled, an act for the benefit of John A. Davenport, and John Cunningham,

Was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Propositions and Grievances.

Mr. Murrell, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act to authorize Judge Kelly to hold a call court in Marion county.

An act to amend the laws in relation to restraining orders in chancery.

An act allowing Spottswood Wilkinson, to sell an interest in certain real estate for the devisees of E. P. Wilkinson, deceased.

An act to amend an act entitled, an act to appropriate the vacant lands of this Commonwealth, east and north of the Tennessee river, to the counties in which they lie, for the purposes of internal improvement.

An act to authorize the subscription of stock in the Louisville Bank of Kentucky.

An act to amend the Owingsville and Big Sandy turnpike road company.

An act for the benefit of William Weeks.

An act for the benefit of George Wymore.

An act to increase the revenue.

An act for the benefit of the widow and heirs of John Smith, M.

An act to establish the town of Edmonton, in Barren county.

An act to amend an act entitled, an act regulating the prices of taking up boats and crafts on the Ohio river.

An act for the benefit of Sarah Ann and Henry Stemmons.

An act for the benefit Reuben Elliott.

An act to amend an act to authorize the sale of certain lands belonging to Edmund H. Taylor.

An act for the benefit of Euphemia L. Schooler.

An act for the benefit of Rebecca Shepherd.

An act for the benefit of William C. Connett.

An act for the benefit of Ruth Hall.

And had found the same truly enrolled.

That the said bills had been signed by the Speaker of the House of Representatives.

Whereupon, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

Mr. Bush, from the committee of Enrolments, reported that the committee had examined enrolled bills and a resolution of the following titles, viz:

An act to reduce into one the several acts regulating the town of Nicholasville.

An act for the benefit of the widow and heirs of Nelson C. Johnson, deceased.

An act to incorporate the Smithland General Insurance Company.

An act for the benefit of Sarah Woods.

An act to extend the limits of the town of Paducah.

And a resolution to appoint joint committees to examine the Auditor's, Treasurer's and Register's Offices.

And had found the same truly enrolled.

That the said bills had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Bush reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled, an act to incorporate the Paris Rail Road Company.

The said bill was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Internal Improvements.

Ordered, That the public printer print one hundred and fifty copies thereof, for the use of the General Assembly.

Bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of Malinda R. Devers.

An act for the benefit of Mary Lightfoot.

An act for the benefit of Benjamin Craig.

And an act for the benefit of Abner Pepper.

Were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, they were referred to the committee of Religion.

Mr. Wingate having obtained leave, reported a bill for the benefit of the Sheriff of Henry county.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Courts of Justice.

The amendments proposed by the House of Representatives to bills from the Senate of the following titles, were severally twice read and concurred in, viz:

An act divorcing Sarah W. Crutcher from her husband, James W. Crutcher.

An act to amend the charters of the Bank of Kentucky, and the Northern Bank of Kentucky.

An act for the benefit of the devisees of Thomas Courtney, deceased; and

An act authorizing the trustees of Mount Vernon to tax shows within one quarter of a mile of the limits of said town.

A message in writing was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State.

A message was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State, announcing that he had approved and signed enrolled bills and resolutions of the following titles, viz:

An act to amend an act, for the Internal Improvement of the State, approved 28th of February, 1835.

An act to change the time of the meeting of the General Assembly.

An act to repeal the first section of an act entitled, an act to amend an act establishing a Female Academy in the town of Harrodsburg, and reviving the third section of the act thereby repealed.

An act to establish three additional election precincts in the counties of Estill and Perry, and for other purposes.

An act for the divorce of Elizabeth Whitaker.

And an act for the divorce of Eliza Clow.

An act authorizing the county court of Rockcastle county, to sell a part of the public ground in the town of Mount Vernon.

An act for the benefit of Yelverton D. Booker.

An act for the benefit of the heirs of Benjamin Mills, deceased, and for other purposes.

An act for the benefit of Philip Graves, of Boone county.

An act concerning the number of justices of the peace for the county of Hardin.

An act to regulate the commencement of the Boone and Grant circuit courts.

An act for the benefit of the heirs of Samuel Lovejoy, dec'd.

An act for the benefit of Judith P. Thornton and her children.

An act for the benefit of the administrator and heirs of Joseph Haydock.

A resolution in relation to the navigation of Cumberland river, and the extension of certain roads into the State of Tennessee.

Approved 9th February, 1836.

An act to incorporate the Louisville Dock Company.

An act for the benefit of John and Lucy Vining.

An act to improve the State road from Mountsterling to the Virginia State line by way of Prestonsburg and Pikeville.

An act concerning the town of Elizabeth, in the county of Hardin.

An act to incorporate a company to turnpike a road from Greensburg, by way of Columbia, Jamestown and Monticello, to the State line, in a direction to Knoxville.

An act to incorporate the Bowlinggreen and Double Spring turnpike road company.

An act to amend an act, entitled, an act to incorporate the Newport Manufacturing company.

An act to incorporate the Bowlinggreen Portage rail way company.

An act to incorporate a company to construct a turnpike road from Taylorsville, in Spencer county, to intersect the turnpike road from Bardstown to Louisville.

An act for the benefit of the county of Jefferson, and the city of Louisville.

An act to appropriate the fines and forfeitures of Green county, to the New Athens Academy.

An act establishing an election precinct in the county of Hardin, and for other purposes.

An act to incorporate the Union White Sulphur Springs company.

Approved 11th February, 1836.

An act to incorporate the Smithland General Insurance Company.

An act for the benefit of Sarah Woods.

An act to extend the limits of the town of Paducah.

An act for the benefit of the widow and heirs of Nelson C. Johnson, deceased.

And a resolution to appoint joint committees to examine the Auditor's, Treasurer's and and Register's Offices.

Approved 12th February, 1836.

The Senate resumed the consideration of a bill to fix the ratio and apportion the representation for the ensuing four years.

Mr. McHenry moved to amend the first section, by giving to the county of Pulaski one additional member, so that the county of Pulaski shall have two members.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McHenry and Grider, were as follows, viz:

YEAS—Messrs. Bramlette, Coffey, Guthrie, James, Jessup, Lyon, McDonald, McHenry, Sisk, Smith, Willis and Wingate—12.

NAYS—MR. SPEAKER, Messrs. Boyd, Bush, Daviess, Gilbert, Grider, Hanson, Harreld, Lusk, May, Metcalfe, Miller, Morehead, Morgan, Murrell, Parker, Patterson, Roberts, Southgate, Thornton, Watkins, Woolley, A. Young and S. Young.—24.

The second section of the said bill is as follows, viz:

SEC. 2. And for the purpose of apportioning the representation in the Senate, this State is hereby laid off into thirty-eight Senatorial Districts, as follows:

The counties of Hickman, Graves and McCracken, shall compose the first Senatorial District; Caldwell, Livingston and Union, the second; Calloway and Trigg, the third; Christian and Todd, the fourth; Logan and Simpson, the fifth; Hopkins, Henderson and Daviess, the sixth; Warren and Allen, the seventh; Barren, the eighth; Green and Hart, the ninth; Cumberland and Monroe, the tenth; Adair, Casey and Russell, the eleventh; Pulaski and Wayne, the twelfth; Breckenridge, Ohio and Hancock, the thirteenth; Butler, Grayson, Mulenburg and Edmonson, the fourteenth; Hardin and Meade, the fifteenth; *the City of Louisville*, the sixteenth; Henry and Oldham, the seventeenth; Shelby, the eighteenth; Nelson and Spencer, the nineteenth; Washington and Marion, the twentieth; Mercer, the twenty-first; Jefferson and Bullitt, the twenty-second; Garrard and Lincoln, the twenty-third; Madison and Rockcastle, the twenty-fourth; Knox, Clay, Harlan, Whitley and Laurel, the twenty-fifth; Gallatin, Boone and Grant, the twenty-sixth; Campbell and Pendleton, the twenty-seventh; Franklin, Owen and Anderson, the twenty-eighth; Harrison and Scott, the twenty-ninth; Bourbon and Nicholas, the thirtieth; Fayette, and the City of Lexington, the thirty-first; Woodford and Jessamine, the thirty-second; Montgomery and Bath, the thirty-third; Greenup, Lewis and Lawrence, the thirty-fourth; Fleming, the thirty-fifth; Mason and Bracken, the thirty-sixth; Morgan, Floyd,

Pike and Perry, the thirty-seventh; and Clarke and Estill, shall compose the thirty-eighth Senatorial Districts.

Mr. Willis moved to amend the said section, by striking out the words "*the City of Louisville, the sixteenth,*" printed in italics.

The question being taken on the adoption of the said amendment, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Willis and Guthrie, were as follows, viz:

YEAS—Messrs. Boyd, Bramlette, Bush, Coffey, Daviess, Gilbert, James, Jessup, Lusk, Lyon, McDonald, McHenry, May, Metcalfe, Miller, Murrell, Parker, Patterson, Roberts, Sisk, Smith, Southgate, Thornton, Willis and A. Young—25.

NAYS—MR. SPEAKER, Messrs. Grider, Guthrie, Hanson, Harreld, Morehead, Watkins, Wingate, Woolley and S. Young—10.

And then the Senate adjourned.

SATURDAY, FEBRUARY 13, 1836.

A message was received from the House of Representatives, announcing that they had received official information that the Lieutenant and acting Governor had approved and signed enrolled bills which originated in that House of the following titles, viz:

An act for the benefit of the jailer of Jessamine county.

An act to establish the town of Bryantsville in Garrard county.

An act for the benefit of the heirs of Benjamin Long.

An act for the benefit of Rebecca Dye.

An act to authorize the Board of Internal Improvement to have the turnpike road on Muldrow's hill examined by an Engineer, and a report thereon of his opinion of the value of said road, and for other purposes.

An act for the benefit of John and Peggy Garvin, and their children, and of John Coleman's representatives.

An act for the benefit of Susannah Drane.

An act to provide for transcribing certain books in the office of the surveyor of Muhlenburg county, and for other purposes.

An act repealing the act of 1834, establishing an election precinct in Livingston county.

An act authorizing the jailer to serve process in certain cases.

An act for the benefit of Robert J. Terry.

And an act to extend the limits of the town of Brandenburg.

An act to change the second constable's district in Henry county.

An act to change the name of the town of Hendronsville, in the county of Henry.

Approved 9th February, 1836.

An act for the benefit of Sarah More.

An act for the benefit of John H. Combs.

An act to establish the town of Farmington, in Graves county.

An act for the benefit of the committee of David Ford.

An act to incorporate and extend the limits of the town of London; and to extend the limits of the town of Richmond.

An act to authorize the purchase of scientific books for the use of the Engineer Department of the State.

An act authorizing the sale of certain lands belonging to the infant heirs of Samuel Bradley, deceased.

An act for the benefit of Keziah Branham.

An act for the benefit of Pandora A. Huff.

An act for the benefit of Thomas B. Megowan, jailer of Fayette county.

An act to change the place of elections in the Lower Blue Lick precinct in Nicholas county.

An act to authorize the Pulaski county court to construct a gate across the road from Sommerset to Monticello.

An act to authorize John S. Anderson to build gates across a certain road in Montgomery county.

Preamble and resolutions in relation to the revenue arising from the sale of the public lands.

Approved 10th February, 1836.

An act to incorporate the Union White Sulphur Springs Company.

An act for the benefit of Ruth Hall.

An act for the benefit of Wm. C. Connett.

An act to authorize the subscription of stock in the Louisville Bank of Kentucky.

An act allowing Spottswood Wilkinson to sell an interest in certain real estate for the devisees of E. P. Wilkinson, dec'd.

An act to amend an act entitled, an act to appropriate the vacant lands in this Commonwealth east and north of the Tennessee river to the counties in which they lie, for the purpose of Internal Improvement.

An act to amend the laws in relation to restraining orders in chancery.

An act to authorize Judge Kelly to hold a call court in Marion county.

An act for the benefit of the widow and heirs of John Smith, M.

An act to increase the revenue.

An act for the benefit of George Wymore.

An act for the benefit of Wm. Weeks.

An act to amend the Owingsville and Big Sandy turnpike road company.

An act for the benefit of Sarah Ann and Henry Stemmons.

An act to amend the act entitled an act regulating the prices of taking up boats and crafts on the Ohio river.

An act to amend an act to authorize the sale of certain lands belonging to Edmund H. Taylor.

An act for the benefit of Reuben Elliott.

An act for the benefit of Euphemia L. Schooler.

An act for the benefit of Rebecca Shepherd.

An act to reduce into one the several acts regulating the town of Nicholasville.

Approved 12th February, 1836.

And that they had passed bills from the Senate, of the following titles, viz:

An act to add an additional term to the Allen circuit court.

And an act to incorporate the Crab Orchard and Cumberland Gap turnpike road company, with amendments to the latter bill.

And that they had passed bills of the following titles, viz:

An act to apply the fines and forfeitures of Hancock county, to lessening the county levy.

An act extending for a certain period and with certain limitations the charter of the old Bank of Kentucky.

An act to amend the attachment law.

And an act for the benefit of the Jailers of Marion and Henry counties.

On the motion of Mr. Parker, a message was sent to the House of Representatives, requesting leave to withdraw the report that the Senate had concurred in the amendment of that House, to a bill entitled an act to incorporate the Maysville and Bracken turnpike road company.

On the motion of Mr. Parker, the vote of the Senate by which the amendment proposed by the House of Representatives to said bill was concurred in, was re-considered. The said amendment was then amended, and concurred in.

Mr. Daviess, from the committee of Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of John A Davenport, and John Cunningham, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Parker having obtained leave, reported a bill to incorporate the Maysville Hotel Company,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Courts of Justice.

Mr. Murrell, from the committee of Enrolments, reported that the committee had examined enrolled bills and resolutions of the following titles, viz:

An act allowing an additional Magistrate and Constable to Washington county.

An act to incorporate the Russellville Male Academy.

An act to authorize the stockholders of the Covington and Lexington turnpike road company to vote whether Dry Creek Post Office shall or not be a point in said road.

An act to amend an act to provide for the improvement of the road from Franklin county, to Crab Orchard in Lincoln county.

An act to appropriate a sum of money to build a Seminary of learning at Bradenburg.

An act for the benefit of John Davis and his children.

An act to provide for cleaning and repairing the public arms in the arsenal.

An act for the benefit of the town of Flemingsburg.

An act to amend an act, entitled, an act to enlarge the boundaries of Georgetown, and for other purposes, approved February 1st, 1835.

And resolutions for the benefit of the commissioned officers of the United States Army, who served in the last war with Great Britain.

And had found the same truly enrolled.

The said bills and resolutions had been signed by the Speaker of the House of Representatives.

Whereupon, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

On the motion of Mr. Morehead, leave was given to withdraw the petition of Martha and Lucius D. Gilbert.

On the motion of Mr. Metcalfe, the vote was re-considered by which a bill from the House of Representatives, entitled, an act to incorporate the Carlisle, Flat Rock, North Middletown and Winchester turnpike road company, was ordered to be read a third time, and passed with amendments.

The said bill was further amended, and ordered to be again read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

A message was received from the Lieutenant and acting Governor by Mr. Cox, Assistant Secretary of State.

The rule of the Senate having been dispensed with, the said message was taken up, and read as follows, viz:

Gentlemen of the Senate:

I nominate for your advice and consent, Benjamin W. Finnell, to be Sheriff of Scott county, in place of W. C. Webb, resigned.

J. T. MOREHEAD.

Resolved, That the Senate advise and consent to the said appointment.

Ordered, That Mr. Patterson inform the Lieutenant and acting Governor thereof.

The Senate resumed the consideration of the bill to fix the ratio and apportion the representation for the ensuing four years.

Mr. Daviess moved to re-commit the said bill to a select committee.

Mr. Grider moved that the committee be instructed not to amend the first section of the bill as to the House of Representatives.

Mr. Grider called for a division of the question.

The question being taken on re-committing the bill to a select committee, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Guthrie and Parker, were as follows, viz:

YEAS—Messrs. Coffey, Daviess, Gilbert, James, Lyon, May, Metcalfe, Parker, Sisk, Smith, Thornton, Willis and A. Young—13.

NAYS—Mr. SPEAKER, Messrs. Boyd, Bramlette, Bush, Carter, Grider, Guthrie, Hanson, Harreld, Jessup, Lusk, McDonald, McHenry, Miller, Morehead, Morgan, Murrell, Patterson, Roberts, Southgate, Watkins, Wingate, Woolley and S. Young—24.

Mr. Guthrie moved to amend the second section of the said bill so as to make the City of Louisville, and the county of Jefferson, one Senatorial District; and Spencer and Bullitt one District, and to take Spencer from the county of Nelson.

Mr. James called for a division of the question.

The question being taken on making the city of Louisville and the county of Jefferson one Senatorial District, it was decided in the affirmative.

The question was then taken on making the counties of Spencer and Bullitt one District, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and McHenry, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bush, Grider, Guthrie, Hanson, Harreld, Jessup, Lusk, Lyon, McDonald, McHenry, Miller, Morehead, Morgan, Murrell, Roberts, Watkins, Woolley and S. Young—20.

NAYS—Messrs. Carter, Coffey, Daviess, Gilbert, James, Metcalfe, Parker, Sisk, Smith, Southgate, Thornton, Willis, Wingate, and A. Young—14.

The question was then taken on taking Spencer county from the county of Nelson, and it was decided in the affirmative.

Mr. Sisk then moved to amend the said section.

And then the Senate adjourned.

MONDAY, FEBRUARY 15, 1836.

Mr. William B. Blackburn, Speaker of the Senate being absent, the Senate proceeded to the election of a Speaker for the occasion.

Mr. Daviess nominated Mr. Cyrus Wingate as a proper person to fill that office.

Upon taking the vote, Mr. Wingate was unanimously elected.

He was conducted to the chair by Messrs. Daviess and Thornton, whence he made acknowledgments for the honor conferred.

Mr. Willis presented the petition of George Davis, praying a divorce from his wife, Elizabeth Davis.

Mr. Bramlette presented the petition of Delilah Stockton, praying a divorce from her husband, Thomas B. Stockton.

Which petitions were received and referred to the committee of Religion.

Mr. Parker having obtained leave, reported a bill to abolish the February chancery term of the Mason circuit court,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred the petition of Nancy Cravens, reported the following resolution thereon, viz:

Resolved, That the said petition be rejected.

Which was twice read and concurred in.

Mr. Guthrie, from the same committee, to whom was referred a bill to incorporate the Maysville Hotel Company, reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the heirs and representatives of E. Willett, deceased.

Reported the same with the opinion of the committee that it ought not to pass.

The question being taken on reading the said bill a third time, it was decided in the negative; and so the said bill was disagreed to.

Mr. Guthrie, from the same committee, reported a bill for the relief of Catharine Anderson; and a bill for the benefit of A. B. Morton and others;

Which bills were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

On the motion of Mr. Guthrie, the committee of Courts of Justice was discharged from the duty of preparing and bringing in a bill to give further time to survey and carry into grant the land warrants heretofore procured from the State, and to authorize the Register to receive plats and surveys already made upon said warrants, and from the further consideration of a resolution instructing them to enquire into the propriety and expediency of so amending the law in relation to Internal Improvements, as to authorize the damages for the right of way to any turnpike road, or materials for the construction of the same.

On the motion of Mr. Coffey, leave was given to bring in a bill for the benefit of Christopher Rinerson, Jr. of Casey county; and Messrs. Coffey, Gilbert and Sisk, were appointed a committee to prepare and bring in the same.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Morgan—1. A bill for the benefit of the heirs of John Fouch.

By Mr. Watkins—2. A bill to incorporate a company to construct a road from Cloverport to Hardinsburg.

By Mr. Murrell—3. A bill to enlarge the boundary of the town of Glasgow; and

By Mr. Coffey—4. A bill for the benefit of Christopher Riner-son, Jr. of Casey county.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the first and second bills having been dispensed with, the first was referred to the committee of Courts of Justice, and the second to the committee of Internal Improvements.

The rule of the Senate, constitutional provision, and second and third readings of the third and fourth bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

The message in writing received from the Lieutenant and acting Governor on the 12th instant was taken up, and read as follows, viz: *Gentlemen of the Senate*:

I nominate for your advice and consent, Cornelius W. McDonald to be Lt. Col. of the 105th Regiment, in place of Daniel Robins, moved away.

William Sayers, to be Major of the same, in place of C. W. McDonald, if promoted.

J. B. Kenney, to be Major of the 12th Regiment, in place of J. L. Lindsey, promoted.

S. R. Smith, to be Quarter-Master of the 6th Brigade.

William E. Perry, to be Lt. Col. of the 111th Regiment, in place of J. Copeland, resigned.

James Ewing, to be Col. of the 130th Regt.

John C. A. Strange, to be Lt. Col. of the same. } New Regt.

Joseph Rennolds, to be Major of the same. }

Ludwell C. Carnish, to be Lt. Col. of the 50th Regiment, in place of J. McDonald, promoted.

Jacob Kimberlin, to be Major of the same, in place of J. C. Riley, resigned.

David McGee, to be Colonel of the 5th Regiment, in place of John M. Jordan, over age.

John McAfee, to be Lt. Col. of the same, in place of David McGee, if promoted.

Thomas L. Wheate, to be Major of the same, in place of John McAfee, if promoted.

George W. Jordon, to be Quarter-Master of the 8th Brigade.

Dempsey White, to be Major of the 89th Regiment, in place of David Adkins, resigned.

James Rogers, to be Colonel of the same in place of M. D. Snider, resigned.

John Brasfield, to be Lt. Col. of the same in place of James Rogers, if promoted.

JAMES T. MOREHEAD.

Resolved, That the Senate do advise and consent to the said appointments.

Ordered, That Mr. Parker inform the Lieutenant and acting Governor thereof.

Leave having been given, the following bills were reported:

By Mr. Guthrie—1. A bill to regulate the practice of Physic and Surgery in the State of Kentucky.

By Mr. S. Young—2. A bill to authorize a State road to be opened from Bloomfield in Nelson county to McCoun's ferry.

And by Mr. Willis—3. A bill to enlarge the constable's district of the town of Greensburg.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the first and second bills having been dispensed with, the first was referred to the committee of Courts of Justice, and the second to the committee of Internal Improvements.

The rule of the Senate, constitutional provision, and second and third readings of the third bill having been dispensed with, and the same being engrossed.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the public printer print one hundred and fifty copies of the first bill for the use of the General Assembly.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate, upon concurring in the amendment proposed by that House to a bill from the Senate, entitled, an act to incorporate the Franklin Bridge Company.

And they had passed a bill, entitled an act to establish the county of Trimble, and for other purposes.

The said bill was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Propositions and Grievances.

A message was received from the House of Representatives, announcing that they had concurred in the resolution from the Senate, fixing a day for the election of Treasurer, Public Printer, President and Directors of the Bank of Commonwealth, and the old Bank of Kentucky.

Mr. Murrell, from the committee of Enrolments, reported that the committee had examined enrolled bills and a resolution of the following titles, viz:

An act to incorporate the Lebanon and Marion turnpike road company.

An act for the divorce of Pamela M. Parker.

An act for the benefit of Eliza Davis.

An act for the benefit of Washington county, and for other purposes.

An act for the benefit of Mary Brown.

An act to extend the terms of the McCracken circuit court, and to change the terms of the Calloway circuit court.

An act to amend the law in relation to the opening and repairing roads in Campbell county.

An act for the divorce of Virginia Thomas.

An act for the relief of Mary G. Overton.

An act for the benefit of George Calmes.

An act to restore Philip King to the rights of an unmarried man.

An act for the benefit of the estate of Benjamin Cawthorn, dec'd.

An act to authorize the county court of Bourbon county, to increase the levy of said county, and for other purposes.

An act for the benefit of John Woods.

An act for the benefit of the children of John Ball.

An act for the benefit of the widow and heirs of Samuel Woods, deceased.

An act for the benefit of John and Mary Jones, and their children.

An act for the benefit of Eliza Maxfield and children.

An act for the benefit of Urith O. Hundley, and her children.

An act establishing an election precinct in Breckenridge county.

An act to establish a Warehouse and Inspection of Tobacco, Flour, Pork and Salt, upon the lands of Wm. E. Sublett, at his Warehouse landing upon the Little Obion, in the county of Hickman.

An act for the benefit of Elizabeth Graham.

An act to enlarge the constable's district including the town of Mount Vernon, in Rockcastle county.

And a resolution fixing a day for the election of Treasurer, Public Printer, Librarian, and President and Directors of the Bank of the Commonwealth, and the old Bank of Kentucky.

And had found the same truly enrolled.

The said bills and resolution had been signed by the Speaker of the House of Representatives.

Whereupon, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

A bill from the House of Representatives, entitled, an act to amend the several acts to suppress the practice of duelling in this Commonwealth, was read the third time.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The amendments proposed by the House of Representatives, to a bill from the Senate, entitled, an act to incorporate the Crab Orchard and Cumberland Gap turnpike road company, were twice read and concurred in.

Bills from the House of Representatives, of the following titles, viz:

1. An act to incorporate the Stanford and Lancaster turnpike road company.
2. An act to authorize certain county courts to appoint Constables and Magistrates.
3. An act to change the time of holding the Logan county court.
4. An act for the benefit of the town of Danville.
5. An act subjecting to county levy, in the counties of Caldwell and Livingston, all slaves that may each year hereafter be hired or otherwise introduced into said counties.
6. An act respecting the liabilities of executors and administrators.
7. An act to authorize circuit courts to license the printers of newspapersto insert certain public orders and notices in their papers.
8. An act changing a precinct in Washington county.
9. An act for the benefit of Mary Hornbeck.
10. An act respecting the Bank of the Commonwealth.
11. An act to amend the attachment law.
12. An act to apply the fines and forfeitures of Hancock county, to the lessening the county levy.
13. An act extending for a certain period and with certain limitations, the charter of the old Bank of Kentucky.
14. And an act for the benefit of the jailers of Marion and Henry counties.

Were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision and second reading of the first, second, fifth, sixth, seventh, ninth, tenth, eleventh, thirteenth and fourteenth bills having been dispensed with, the first was referred to the committee of Internal Improvement; and the others were referred to the committee of Courts of Justice.

The rule of the Senate, constitutional provision, and second and third readings of the third, fourth, eighth and twelfth bills having been dispensed with.

Resolved, That the said bills do pass, and that the titles be as aforesaid.

A bill from the House of Representatives, entitled, an act for the benefit of the Monroe Seminary of learning, was read the first time.

The question being taken on reading the said bill a second time, it was decided in the negative, and so the said bill was disagreed to.

A message in writing was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State, announcing that he had approved and signed an enrolled resolution which originated in the Senate, fixing a day for the election of Treasurer, Public Printer, Librarian, and President and Directors of the Bank of the Commonwealth, and the old Bank of Kentucky.

An engrossed bill entitled, an act for the benefit of the heirs of John R. Nelson, deceased, was read the third time.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Roberts—

Ordered, That a message be sent to the House of Representatives, informing them that the Senate are now ready to proceed to the election of Treasurer, Public Printer, Librarian, President and Directors of the Bank of Commonwealth, and the old Bank of Kentucky, and that Mr. Roberts carry the said message.

A message was received from the House of Representatives, by Mr. Trapnall, announcing that they are now ready to proceed to the said election.

After interchanging nominations between the Houses for the several officers, the Senate proceeded to the election of Treasurer, and Messrs. Willis, Watkins and Hanson, were appointed a committee on the part of the Senate, to compare the joint vote, and report the result.

After a short time, Mr. Willis reported that Mr. James Davidson, had received the unanimous vote of both Houses, for the office of Treasurer.

Whereupon, he was declared duly elected Treasurer of this State, for the ensuing year.

The Senate then proceeded to the election of Public Printer, and the vote stood thus:

FOR MR. JACOB H. HOLEMAN—Messrs. Bramlette, Carter, Gilbert, Hanson, James, Jessup, Lyon, McDonald, McHenry, Morgan, Patterson, Roberts, Sisk, Watkins, Willis, Woolley, A. Young and S. Young—18.

FOR MR. ALBERT G. HODGES—MR. SPEAKER, (Wingate,) Messrs. Boyd, Bush, Coffey, Daviess, Grider, Guthrie, Harreld,

Lusk, May, Metcalfe, Miller, Morehead, Murrell, Parker, Smith, Southgate and Thornton—18.

Messrs. Boyd, Southgate and Daviess, were appointed a committee on the part of the Senate, to compare the joint vote of both Houses, and report the result.

After a short time, Mr. Boyd reported that the joint vote stood thus:

FOR MR. JACOB H. HOLEMAN, 69

FOR MR. ALBERT G. HODGES, 59

Whereupon, MR. JACOB H. HOLEMAN was declared duly elected Public Printer, for the ensuing year.

The Senate then proceeded to the election of Librarian, President and Directors of the Bank of the Commonwealth, and the old Bank of Kentucky.

And committees were appointed on the part of the Senate, to compare the joint vote of both Houses and report the result.

After a short time, the said committees reported that Mr. Geo. A. Robertson was unanimously elected Librarian, and that Mr. H. Wingate, had received the unanimous vote of both Houses, for President of the Bank of the Commonwealth; Messrs. Austin P. Cox, James Davidson, Thomas S. Page and Edward P. Johnson, for Directors of that Bank; and that Mr. P. Dudley had received the unanimous vote of both Houses for President of the old Bank of Kentucky, and Messrs. James Shannon and Moses B. Morrison, for Directors of said Bank.

Whereupon, they were severally declared to be duly elected for the ensuing year.

A bill to extend the jurisdiction of justices of the peace to debts not exceeding one hundred dollars, was read the second time.

Mr. Boyd moved to lay the said bill on the table until the first day of June next.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. McHenry and Boyd, were as follows, viz:

YEAS—Messrs. Boyd, Carter, Grider, Guthrie, Jessup, Lusk, Miller, Murrell, Roberts, Southgate, Thornton, Willis, Woolley and S. Young—14.

NAYS—MR. SPEAKER, Messrs. Bramlette, Coffey, Gilbert, Hanson, Harreld, James, Lyon, McDonald, McHenry, Metcalfe, Morehead, Morgan, Patterson, Sisk, Smith, Watkins, and A. Young—18.

Mr. Miller moved to amend the said bill by adding thereto the following section, viz:

Be it further enacted, That hereafter no justice of the peace,

shall receive any compensation for his services except for taking depositions.

The question being taken on the adoption of the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McHenry and Parker, were as follows, viz:

YEAS—Messrs. Boyd, Guthrie, McDonald, Miller and Willis—5.

NAYS—MR. SPEAKER, Messrs. Bramlette, Coffey, Gilbert, Hanson, Harreld, Jessup, Lyon, McHenry, May, Metcalfe, Morehead, Murrell, Parker, Patterson, Roberts, Sisk, Smith, Thornton, Watkins, A. Young and S. Young—22.

Mr. Roberts moved to amend the said bill by adding thereto the following section, viz:

Be it further enacted, That upon no judgment rendered by a justice of the peace under the provisions of this act, shall a constable be invested with power to levy on, or dispose of, real estate; but that in all cases where judgments shall be rendered upon sums over fifty dollars, the justice rendering the same, shall issue an execution directed to the Sheriff of the county where the judgment shall have been obtained.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McHenry and Roberts, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Coffey, Daviess, May, Miller, Parker, Patterson, Roberts, Southgate, Thornton, Watkins, Willis and S. Young.—14.

NAYS—Messrs. Bramlette, Gilbert, Grider, Guthrie, Hanson, Harreld, James, Jessup, McDonald, McHenry, Metcalfe, Morehead, Murrell, Sisk, Smith and A. Young—16.

The said bill was amended to read as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Justices of the peace of this Commonwealth shall have jurisdiction of all debts not exceeding one hundred dollars, exclusive of interest, due by bonds, bills or notes executed for the direct payment of money, which jurisdiction shall be concurrent with the jurisdiction of the circuit courts in like cases, with the same right of appeal to the circuit court which now exists in regard to debts cognizable before justices of the peace, not exceeding fifty dollars.

§ 2. That the commission of Constables on executions, sales under distress warrants for rent, and on sales under attachments, shall not exceed five per centum: *Provided*, That if the amount made under such

execution, distress warrant, or attachment, shall exceed one hundred pounds, then on such excess the commission shall not exceed two per centum.

§ 3. *Be it further enacted*, That the fees of the Justices of the peace in this Commonwealth, shall, hereafter, be as follows: For taking depositions, one dollar per day; for issuing warrants, ten cents; for issuing an attachment, twenty cents; trying and recording a case, twenty cents; for issuing an execution, ten cents; for copying and certifying a record, one cent for every twenty words; for issuing a distress warrant, twenty cents; taking a bond in use of an attachment, twenty cents; for posting an estray and making out a post note, twenty-five cents; and all laws allowing any other or different fees, are hereby repealed.

The question being taken on engrossing the said bill and reading it a third time, it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Daviess and McHenry, were as follows, viz:

YEAS—Messrs. Bramlette, Coffey, Gilbert, Hanson, Harreld, James, Lyon, McDonald, McHenry, Metcalfe, Morehead, Patterson, Sisk, Smith and A. Young—15.

NAYS—MR. SPEAKER, Messrs. Boyd, Daviess, Grider, Guthrie, Jessup, May, Miller, Murrell, Parker, Roberts, Southgate, Thornton, Watkins, Willis and S. Young—16.

And then the Senate adjourned.

TUESDAY, FEBRUARY 16, 1836.

Mr. Willis moved to re-consider the vote by which a bill to extend the jurisdiction of justices of the peace to debts not exceeding one hundred dollars, was rejected.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Guthrie and Boyd, were as follows, viz:

YEAS—Messrs. Coffey, Gilbert, Hanson, Harreld, James, McDonald, McHenry, Metcalfe, Morehead, Patterson, Sisk, Smith, Willis and A. Young—14.

NAYS—MR. SPEAKER, Messrs. Boyd, Bush, Carter, Daviess, Grider,

Guthrie, Jessup, Lusk, May, Miller, Murrell, Parker, Roberts, Southgate, Thornto, Watkins, Woolley and S. Young—19.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate, upon concurring in the amendment proposed by that House to a bill from the Senate, entitled, an act to incorporate the Maysville and Bracken turnpike road company.

And that they had passed bills from the Senate, of the following titles, viz:

An act to establish and construct a State road from Pikeville to the Virginia line, at the Sounding Gap, in the Cumberland Mountain.

An act for the benefit of A. B. Morton, and others; and

An act to amend the charter of Bardstown and Green river turnpike road company.

And that they had passed bills of the following titles, viz:

An act for the benefit of Elizabeth Pugh; and

An act to authorize the construction of a bridge over Buck Creek in Pulaski county.

The second bill was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Internal Improvements.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred an engrossed bill entitled, an act to repeal an act, entitled, an act to amend the law prohibiting the importation of slaves into this State, approved February 2d, 1833,

Reported the same with the opinion of the committee that it ought not to pass.

The question being taken on the passage of the said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Jessup and Smith, were as follows, viz:

YEAS—Messrs. Bramlette, Coffey, Gilbert, Harreld, James, Jessup, Lyon, McDonald, McHenry, May, Morehead, Roberts, Sisk, Smith, Watkins, Willis, Woolley, A. Young and S. Young—19.

NAYS—MR. SPEAKER, Messrs. Boyd, Bush, Carter, Daviess, Grider, Guthrie, Hanson, Lusk, Metcalfe, Miller, Morgan, Murrell, Parker, Patterson, Southgate and Thornton—17.

Resolved, That the title of the said bill be as aforesaid.

Mr. Guthrie, from the same committee, to whom was referred a bill authorizing limited partnerships in this Commonwealth, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time to-morrow.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred the following bills, viz:

A bill to incorporate a company to construct a road from Cloveport to Hardinsburg.

And a bill to authorize a State road to be opened from Bloomfield in Nelson county to McCoun's ferry in Mercer county, reported the same without amendment.

Ordered, That the said bills be engrossed and read a third time. The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to amend an act, entitled, an act to incorporate the Glasgow and Munfordsville turnpike company; and

An act to amend an act approved 22d December 1831, entitled, an act to incorporate the Green River Rail Road Company, reported the same with amendments to each, which were twice read and concurred in.

Ordered, That the said bills be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills, as amended, do pass, and that the titles thereof be as aforesaid.

Mr. Bush, from the committee of Religion, to whom was referred bills from the House of Representatives, of the following titles, viz:

1. An act for the benefit of Mary P. Clark.

2. An act for the benefit of Hezekiah and Fanny Duzan; and

3. An act for the benefit of Malinda R. Devers.

Reported the same with the opinion of the committee that they ought not to pass.

The question being taken on reading the said bills a third time, it was decided in the negative, and so the said bills were disagreed to.

On the motion of Mr. Parker, the vote was re-considered by which the first bill was disagreed to, and it was re-committed to the committee of Religion.

On the motion of Mr. Patterson, the vote by which the third bill was disagreed to, was re-considered, and it was re-committed to the committee of Religion.

Mr. Bush, from the same committee to whom was referred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of Abner W. Pepper.

An act for the benefit of Benjamin Craig; and

An act for the benefit of Hannah Hunter,

Reported the same without amendment.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bush from the same committee to whom was referred the petition of Holland S. Thacker, praying a divorce from his wife, Nancy Thacker, reported the following resolution thereon, viz:

Resolved, That the said petition be rejected.

Which was twice read and concurred in.

On the motion of Mr. Hanson, the vote was re-considered by which a bill from the House of Representatives, entitled, an act for the benefit of Aaron Allison, was disagreed to, and it was re-committed to the committee of Religion.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Guthrie, from the committee of Courts of Justice—1.

A bill for the benefit of John P. Jouitt and others.

By Mr. Woolley from the committee of Internal Improvements—2. A bill to legalize the proceedings of the Franklin county court at their February term, 1836.

By Mr. Bush, from the committee of Religion—3. A bill for the benefit of George Ann Vincent.

By Mr. Morgan—4. A bill to incorporate the Fleming White Sulphur Springs Hotel Company.

And by Mr. James—5. A bill for the benefit of the settlers west of the Tennessee river, whose improvements have been entered by seminary claims.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the fourth bill having been dispensed with, it was referred to the committee of Courts of Justice.

The rule of the Senate, constitutional provision, and second and third readings of the first, second, third and fifth bills, having been dispensed with, and the same being engrossed.

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Woolley—A bill to amend the law di-

recting the mode and time of laying and collecting the county levy for the county of Fayette.

And on the motion of Mr. Willis—A bill for the benefit of Wm. Parker.

The committee of Finance was directed to prepare and bring in the former, and the committee of Religion the latter bill.

The Senate resumed the consideration of a bill to fix the ratio and apportion the representation for the ensuing four years.

Mr. Smith moved to amend the said bill by substituting the following in lieu thereof, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act entitled an act to fix the ratio and apportion the representation for the ensuing four years, approved December 22d, 1331, shall be, and the same is hereby revived, extended and continued, in full force for the ensuing four years, and each county shall remain as it now stands, as to representation for the ensuing four years.

The question being taken on the adoption of the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Murrell, were as follows, viz:

YEAS—Messrs. Bramlette, Coffey, Harreld, McDonald, McHenry, May, Metcalfe, Miller, Parker, Patterson, Sisk, Smith, Thornton, Willis and A. Young—15.

NAYS—MR. SPEAKER, Messrs. Boyd, Bush, Carter, Daviess, Gilbert, Grider, Guthrie, Hanson, James, Jessup, Lusk, Lyon, Morehead, Morgan, Murrell, Southgate, Watkins, Woolley and S. Young—20.

The amendment proposed by Mr. Sisk, is as follows, viz:

The second District shall be composed of the counties of Caldwell and Livingston; the sixth District of the counties of Hopkins, Union and Henderson; the thirteenth District of the counties of Breckenridge, Daviess, Hancock and Grayson; the fourteenth of the counties of Muhlenburg, Butler and Ohio; the eighth of Barren and Edmonson.

The question being taken on the adoption of the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Sisk and McHenry, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Bramlette, Coffey, Daviess, Gilbert, Guthrie, James, Lyon, McDonald, McHenry, May, Metcalfe, Patterson, Sisk, Smith, Willis and A. Young—17.

NAYS—Messrs. Boyd, Carter, Grider, Hanson, Harreld, Jessup, Lusk, Miller, Morehead, Morgan, Murrell, Parker, Roberts, Southgate, Thornton, Watkins, Woolley and S. Young—18.

Mr. Smith moved to amend the said bill by substituting the following in lieu of the second section thereof, viz:

Be it further enacted, That an act entitled an act to fix the ratio and apportion the representation for the ensuing four years, approved December 22d, 1836, shall be, and the same is hereby revived, extended and continued in full force for the ensuing four years, so far as respects the Senatorial Districts.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Parker, were as follows, viz:

YEAS—Messrs. Bramlette, Coffey, Gilbert, McDonald, McHenry, May, Metcalfe, Miller, Parker, Patterson, Sisk, Smith, Thornton and Willis—14.

NAYS—MR. SPEAKER, Messrs. Boyd, Carter, Daviess, Grider, Guthrie, Hanson, Harreld, James, Jessup, Lusk, Lyon, Morehead, Morgan, Murrell, Roberts, Southgate, Watkins, Woolley, A. Young and S. Young—21.

Mr. James then moved to amend the first section of the said bill by giving one member to the county of McCracken, so that the counties of Graves and McCracken shall each have one member.

The question being taken on the adoption of the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Grider and James, were as follows, viz:

YEAS—Messrs. Bramlette, Coffey, Daviess, Gilbert, Guthrie, James, Lyon, McDonald, McHenry, May, Metcalfe, Sisk, Smith, Willis and A. Young—15.

NAYS—MR. SPEAKER, Messrs. Boyd, Carter, Grider, Hanson, Harreld, Jessup, Lusk, Miller, Morehead, Morgan, Murrell, Parker, Patterson, Roberts, Southgate, Thornton, Watkins, Woolley and S. Young—20.

Mr. Smith then moved the following, as a substitute to the second section of the bill, viz:

SEC. 2, The counties of Hickman, Graves and McCracken, shall compose the first Senatorial District; Calloway and Trigg, the second; Caldwell and Livingston, the third; Union, Hopkins and Henderson, the fourth; Christian and Todd, the fifth; Logan and Simpson, the sixth; Warren and Allen, the seventh; Muhlenburg, Ohio and Butler, the eighth; Barren and Edmonson, the ninth; Green and Hart, the tenth; Hardin and Meade, the eleventh; Daviess, Breckenridge, Hancock and Grayson, the twelfth; Nelson and Bullitt, the thirteenth; Jefferson, the fourteenth; Shelby

and Spencer, the fifteenth; Henry and Oldham, the sixteenth; Washington and Marion, the seventeenth; Cumberland and Monroe, the eighteenth; Adair, Casey and Russell, the nineteenth; Wayne and Pulaski, the twentieth; Garrard and Lincoln, the twenty-first; Laurel, Rockcastle, Whitley and Knox, the twenty-second; Clay, Harlan, Perry and Estill, the twenty-third; Floyd, Morgan, Pike and Lawrence, the twenty-fourth; Greenup and Lewis, the twenty-fifth; Mason, the twenty-sixth; Fleming, the twenty-seventh; Montgomery and Bath, the twenty-eighth; Clarke and Bourbon, the twenty-ninth; Bracken and Nicholas, the thirtieth; Harrison and Scott, the thirty-first; Campbell and Pendleton, the thirty-second; Boone, Grant and Gallatin, the thirty-third; Franklin, Owen and Anderson, the thirty-fourth; Mercer, the thirty-fifth; Woodford and Jessamine, the thirty-sixth; Fayette, the thirty-seventh; Madison, the thirty-eighth Senatorial District.

The question being taken on the adoption of the said amendment, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Smith and Parker, were as follows, viz:

YEAS—Messrs. Coffey, Daviess, Gilbert, James, Lyon, McDonald, McHenry, May, Metcalfe, Miller, Parker, Sisk, Smith, Southgate, Willis and A. Young—16.

NAYS—MR. SPEAKER, MESSRS. Boyd, Bramlette, Carter, Grider, Guthrie, Hanson, Harreld, Jessup, Lusk, Morehead, Morgan, Murrell, Patterson, Roberts, Thornton, Watkins, Woolley and S. Young—19.

Mr. May moved to amend the first section of the said bill, by giving to Morgan county one member, so that Lawrence and Morgan shall have one member each.

The question being taken on the adoption of the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Daviess and Hanson, were as follows, viz:

YEAS—Messrs. Carter, Coffey, Daviess, Gilbert, Guthrie, James, Lyon, McDonald, McHenry, May, Metcalfe, Patterson, Sisk, Smith, Southgate, Willis and A. Young—17.

NAYS—MR. SPEAKER, MESSRS. Boyd, Bramlette, Bush, Grider, Hanson, Harreld, Jessup, Lusk, Miller, Morehead, Morgan, Murrell, Parker, Roberts, Thornton, Watkins, Woolley and S. Young—19.

Mr. Smith then moved the following amendment, viz:

Strike off Harlan from the twenty-fifth District, and add it to the thirty-seventh District, composed of the counties of Morgan, Floyd, Pike and Perry, and add Rockcastle to the twenty-fifth District, composed of the counties of Knox, Clay, Harlan, Whitley and Laurel.

The question being taken on the adoption of the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. May and Gilbert, were as follows, viz:

YEAS—MR. SPEAKER, MESSRS. Boyd, Coffey, Daviess, McHenry, Miller, Patterson, Smith, Thornton, Willis and S. Young—11.

NAYS—Messrs. Bush, Carter, Gilbert, Grider, Guthrie, Hanson, Harreld, James, Lusk, Lyon, McDonald, May, Metcalfe, Morehead, Morgan, Murrell, Parker, Roberts, Sisk, Southgate, Watkins, Woolley and A. Young—23.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 17, 1836.

A message was received from the House of Representatives announcing that they had passed bills from the Senate, of the following titles, viz:

An act to incorporate the Cumberland River turnpike road company.

An act to amend an act, entitled, an act further regulating the Wilderness turnpike road, approved 11th January, 1830.

An act concerning public roads in Mason county.

An act supplemental to an act, entitled, an act to incorporate a company to construct a turnpike road from Taylorsville in Spencer county to intersect the turnpike from Bardstown to Louisville.

An act to amend the charter of the Lexington and Ohio Rail Road Company.

An act amending the road law in Greenup county.

An act declaring the Middle Fork of the Kentucky river a navigable stream up to the mouth of Laurel on said fork.

An act to amend an act entitled, an act to establish a road from the mouth of Salt river, to intersect the road from Brandenburg to Bowlinggreen.

An act to establish the College of Physicians of the city of Lexington; and

An act to amend the several acts of Assembly relating to, and incorporating a company to turnpike a road from Louisville to Nashville; with amendments to the three last named bills.

Which amendments were twice read and concurred in.

And that they had passed bills of the following titles, viz:

An act incorporating the Bardstown Female Academy.

An act to amend the several acts concerning the Rolling Fork Bridge Company.

An act to incorporate the Clarke and Madison turnpike road company.

An act for the improvement of the navigation of the North, Middle and South Forks of the Kentucky river.

An act to establish a State road from the mouth of Troublesome Creek, to the Sounding Gap of the Cumberland Mountain.

An act to incorporate a company to make a turnpike road from Perryville to Greensburg, by way of Lebanon and New Market.

An act to incorporate the Canton, Cadiz and Hopkinsville turnpike road company.

An act to incorporate the Richmond and London turnpike road company; and

An act to incorporate the Glasgow and Scottville turnpike road company.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, the first was referred to the committee of Education, and the others were referred to the committee of Internal Improvements.

Mr. Murrell, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act for the benefit of A. B. Morton, and others.

An act to incorporate the Silk Culture and Manufacturing Company.

An act to incorporate the Franklin Bridge Company.

An act to incorporate the Newport, Falmouth, Cynthiana, Paris and Winchester turnpike road company; and

An act to amend an act, entitled, an act to incorporate a company to turnpike the road from Nicholasville to Perryville, by way of Shakertown and Harrodsburg.

And had found the same truly enrolled.

That the said bills had been signed by the Speaker of the House of Representatives.

Whereupon, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act respecting the Bank of the Commonwealth.

An act for the benefit of the jailers of Marion and Henry counties.

An act to authorize circuit courts to license the printers of newspapers to insert certain public orders and notices in their papers.

An act for the benefit of Mary Hornbeck.

Reported the same without amendment.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Guthrie, from the same committee, to whom was referred a bill for the benefit of the heirs of John Fouch, reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill from the House of Representatives, entitled an act to improve the roads in Monroe, Allen and Cumberland counties, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title be amended to read, an act to improve the roads in Monroe, Allen, Cumberland, Wayne and Whitley counties.

Mr. Morehead presented the petition of Mary McQuiddy, John P. Reading and Robert Hamilton, praying for the passage of a law authorizing a sale of a tract of land, devised by John M. Reading, to the said John and Robert, in trust for the said Mary McQuiddy, and her children.

Which was received and referred to the committee of Courts of Justice.

Mr. Smith from the committee on Military Affairs, reported a bill to amend the militia law, which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, all commissioned militia officers shall be at liberty to resign their commissions whenever they may deem it proper, any law to the contrary notwithstanding.

Ordered, That the said bill be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill was dispensed with.

And Mr. Willis moved to lay it on the table until the first day of June next.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Parker, were as follows, viz:

YEAS—Messrs. Boyd, Bramlette, Carter, Coffey, Daviess, Gilbert, Guthrie, Hanson, Harreld, McDonald, McHenry, May, Miller, Morehead, Morgan, Murrell, Parker, Patterson, Southgate, Thornton, Watkins, Willis, Woolley and S. Young.—24.

NAYS—Messrs. Grider, James, Jessup, Lusk, Smith and A. Young—6.

A bill from the House of Representatives, entitled, an act for the benefit of the Russellville Male Academy, was read the third time.

The question being taken on the passage thereof, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Parker and Morehead, were as follows, viz:

YEAS—Messrs. Bramlette, Carter, Coffey, Grider, Hanson, Harreld, James, Jessup, McDonald, McHenry, May, Morehead, Morgan, Sisk, Southgate, Watkins, Willis, Woolley and S. Young—19.

NAYS—Messrs. Boyd, Daviess, Gilbert, Guthrie, Lusk, Miller, Murrell, Parker, Patterson, Smith, Thornton and A. Young—12.

Resolved, That the title of the said bill be as aforesaid.

Leave was given to bring in the following bills, viz:

On the motion of Mr. May—1. A bill to improve the roads in Floyd, Morgan and Pike counties.

On the motion of Mr. S. Young—2. A bill for the benefit of the seminaries of learning for Nelson and Spencer counties.

On the motion of Mr. Boyd—3. A bill for the benefit of the Henry and Hopkins seminaries.

On the motion of Mr. Parker—4. A bill for the benefit of the Franklin Academy, in the county of Mason.

Messrs. May, A. Young and Hanson, were appointed a committee to prepare and bring in the first, and the committee of Education was directed to prepare and bring in the second, third, and fourth.

Ordered, That a message be sent to the House of Representatives, requesting leave to withdraw the report of the disagreement of the Senate, to bills from that House of the following titles, viz:

An act for an appropriation to the Allen seminary of learning.
And an act for the benefit of the Monroe seminary of learning.
After a short time the said bills were returned to the Senate.

On the motion of Mr. Lusk, the vote by which the former bill was disagreed to, was re-considered, and it was referred to the committee of Education.

On the motion of Mr. Murrell, the vote by which the latter bill was disagreed to, was reconsidered, and it was referred to the committee of Education.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Guthrie, from the committee of Courts of Justice—1. A bill to amend an act to establish the Louisville Chancery court.

By Mr. Hanson, from the committee of Finance—2. A bill for the benefit of Anten Conder.

By Mr. Metcalfe, from the committee of Internal Improvements—3. A bill to construct a Bridge across Chaplins' Fork, at or near Hobbs' mill in Washington county.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the third bill having been dispensed with, it was referred to the committee of Internal Improvements.

The rule of the Senate, constitutional provision, and second and third readings of the first and second bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Leave having been given, the following bills were reported:

By Mr. Woolley—1. A bill to change the time of holding the Owen circuit court, and for regulating the terms of the Fayette circuit court.

By Mr. James—2. A bill for the benefit of J. B. Husbands, county surveyor of McCracken county.

And by Mr. Woolley—3. A bill to change the times of holding the Shelby and Woodford circuit courts, after the tenth of May next.

The rule of the Senate, constitutional provision, and second and third readings of the first and second bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

The rule of the Senate, constitutional provision and second reading of the third bill having been dispensed with, it was referred to a committee of Messrs. Woolley, Boyd and Guthrie.

Mr. Carter, from the committee of Enrolments, reported that the committee had examined an enrolled bill entitled, an act to amend the several acts to suppress the practice of duelling in this Commonwealth.

And had found the same truly enrolled.

That the said bill had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Carter reported that the committee had performed that duty.

The Senate resumed the consideration of a bill to fix the ratio and apportion the representation for the ensuing four years.

Mr. Watkins moved the previous question.

The question being taken, "shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Sisk and Boyd, were as follows, viz:

YEAS—Messrs. Boyd, Bush, Carter, Grider, Guthrie, Hanson, Harreld, Jessup, Lusk, McHenry, Miller, Morehead, Morgan, Murrell, Parker, Roberts, Southgate, Watkins, Willis, Woolley and S. Young—21.

NAYS—MR. SPEAKER, Messrs. Bramlette, Coffey, Daviess, Gilbert, James, McDonald, May, Patterson, Sisk, Smith, Thornton and A. Young—13.

The question was then taken on engrossing the said bill and reading it a third time, and it was decided in the affirmative.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

The question being taken on the passage of the said bill it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Willis and Daviess, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bush, Carter, Coffey, Grider, Hanson, Harreld, Jessup, Lusk, Miller, Morehead, Morgan, Murrell, Roberts, Southgate, Watkins, Woolley and S. Young—19.

NAYS—Messrs. Bramlette, Daviess, Gilbert, Guthrie, James, McDonald, McHenry, May, Metcalfe, Parker, Patterson, Sisk, Smith, Thornton, Willis and A. Young—16.

Resolved, That the title of the said bill be as aforesaid.

On the motion of Mr. Thornton—

Ordered, That the bill from the House of Representatives, enti-

ted, an act to incorporate the Louisville, Cincinnati and Charleston Rail Road Company, be made the order of the day for to-morrow.

An engrossed bill entitled, an act repealing all laws requiring bail in civil actions, and authorizing attachments on original process, was read the third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That all laws which authorize bail in civil actions shall be, and the same are hereby repealed; and instead of bail in civil actions, it shall be lawful for any person or persons, co-partnership or corporation, before issuing a writ, in any action about to be commenced in any of the circuit courts of this Commonwealth, to make and file an affidavit of the amount of the claim or demand, and the true grounds on which the plaintiff is entitled to the same; and that the plaintiff verily believes that the defendant or defendants will sell and dispose of his real estate, personal effects, and *choses* in action, or secrete the same, so that the judgment of the circuit court cannot be enforced. And on filing the affidavit with the clerk of the circuit court, where the action is about to be commenced, it shall be the duty of the clerk to issue the appropriate process, and endorse thereon the sheriff or other officer to whom the same is directed, is authorized and required to seize and attach the lands and effects of the defendant or defendants, to the value sworn to by the plaintiff or plaintiffs, and hold the same until the further order of the court, unless the defendant or defendants, or some of them, or some one for them, shall execute bond with good security, to be approved by the officer having the process, in a penalty of double the amount of the property attached, conditioned to have the same forthcoming, to answer the order and judgment of the court, or to abide by and perform the judgment of the court. And on the execution of such bond, the land and effects, so attached, shall be restored: but if there be no lands or effects, or if the lands and effects be not sufficient to secure the claim or demand of the plaintiff or plaintiffs, and there be any person or persons, co-partnership or corporation indebted to the defendants, or some of them, it shall be lawful for the plaintiff or plaintiffs, or any one of them, to state, in addition to the affidavit aforesaid, that there are no lands or effects, or not a sufficiency to secure the plaintiff's claim or demand, or that the lands and effects are so incumbered with mortgages and liens, and that the defendant or defendants, or some of them, have money or property owing to them from some person or persons, co-partnership or corporation, naming him, her or them, with the amount due, as near as may be; and thereupon it shall be the duty of the clerk to make

this additional endorsement on the process, to-wit: that if the officer cannot seize and attach the lands and effects of the defendant or defendants, or some of them, to the value of the claim or demand, as sworn to, that the officer shall summon the person or persons, co-partnership or corporation, indebted to the defendant or defendants, or to some of them, and restrain him, her or them from paying or delivering over such money or property until the further order of the court, unless the defendant or defendants, or some of them, or some one for them, shall execute a like bond, conditional as aforesaid. On the execution of such bond, the sheriff or other officer shall restore the lands or effects, if any, and notify the said person or persons, co-partnership or corporation, indebted as aforesaid, that the attachment is withdrawn: *Provided*, That before making any such endorsements, as aforesaid, on the process, the plaintiff or plaintiffs, or some of them, or some one for them, shall first execute bond with good security, to be approved by the clerk, in a penalty of double the amount sworn to, conditioned to pay the defendant or defendants the amount of all costs and damages which shall accrue by the wrongful suing out the order and attachment.

§ 2. That when no bond or security shall be given by the defendant or defendants, or some of them, or some one for them, to the officer serving the attachment, before the return day of the process, the court may permit the same to be done at any time before issue joined, and order a restoration of the lands and effects, and a discharge of the restraining order: but if the bond be not executed before issue joined, and it be lands or any equity in lands, which the officer has seized under the attachment, a return by the officer of the levy and the attachment on the land, or on the equity of the defendant or defendants, or some of them, in the land, shall create and retain a lien in favor of the plaintiff or plaintiffs, to the extent of the judgment, which shall be recovered in such action; and if other effects be seized by the officer, and no such bond be given, the officer shall keep them safely until the further order of the court. If the effects be perishable in their nature, it shall be lawful for the court to cause them to be sold by the officer, on a reasonable credit, and cause the proceeds to be forthcoming to the order of the court, and on the rendition of the judgment for the plaintiff or plaintiffs, to cause them to be applied in discharge thereof: but if the effects be not perishable, the court shall have power to cause them to be so used and employed as will most conduce to the interest of the parties, and on the rendition of the judgment for the plaintiff or plaintiffs, cause a sale of the property, and an application of the proceeds of sale, and the hire or use of the property, in discharge of the judgment; and if debts or ef-

fects, due or to become due, shall be attached, it shall be the duty of the court to cause the same to be collected or secured, and the proceeds paid over in discharge of the judgment; but when there shall be no cause of action, the court shall order and enforce restitution to the defendant or defendants, and the plaintiff or plaintiffs shall, moreover, be responsible for such damages as a jury may award, to be recoverable by suit on the bond, or by action on the case with double costs.

§ 3. That the provisions of this act shall apply and be extended to all civil suits and actions, cognizable before a Justice of the peace in this Commonwealth, except so far as an attachment is authorized to be levied on land, in the same manner and to the same extent as if the words were herein repeated and re-enacted as to such suits and actions.

§ 4. That the provisions of this act shall apply to and be extended to all suits and actions cognizable in courts of equity, for money or property, in the same manner and to the same extent as if the words were herein again repeated and re-enacted, and made applicable to such chancery suits and actions.

The question being taken on the passage of the said bill, it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon, by Messrs. Willis and Parker, were as follows, viz:

YEAS—Messrs. Boyd, Bramlette, Daviess, Gilbert, Guthrie, Miller, Thornton, Watkins, Woolley and S. Young—10.

NAYS—MR. SPEAKER, Messrs. Coffey, Hanson, Harreld, Jessup, McDonald, McHenry, May, Morehead, Murrell, Parker, Patterson, Roberts, Sisk, Smith, Southgate, Willis and A. Young—18.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled, an act to provide for condemning land and materials for the construction of turnpike roads, bridges and other works of Internal Improvements, with amendments.

The said amendments were twice read, the first and second were concurred in, and the third was disagreed to.

A bill from the House of Representatives, entitled, an act to change the present mode of summoning jurors in this Commonwealth, and to provide for their compensation, was taken up.

The question being taken on reading the said bill a third time, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McHenry and Boyd, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Bramlette, Bush, Coffey, Gilbert, Grider, Hanson, Harreld, Jessup, Lusk, McHenry, May,

Miller, Morehead, Morgan, Parker, Patterson, Roberts, Sisk, Southgate, Willis, Woolley, A. Young and S. Young—24.

NAYS—Messrs. Boyd, Daviess, Guthrie, Murrell, and Thornton—6.

A bill from the House of Representatives, entitled, an act for the benefit of Elizabeth Pugh, was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Religion.

And then the Senate adjourned.

THURSDAY, FEBRUARY 18, 1836.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred a bill from the House of Representatives, entitled, an act extending for a certain period and with certain limitations, the charter of the old Bank of Kentucky, reported the same with amendments, which were twice read and concurred in.

Ordered, That the said bill be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Guthrie, from the same committee, to whom was referred bills from the House of Representatives of the following titles, viz:

An act to authorize certain county courts to appoint constables and magistrates.

And an act to reduce the number of justices of the peace and constables in Adair county, reported the same without amendment. The former bill was amended.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills (the former as amended) do pass, and that the titles thereof be as aforesaid.

Mr. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act respecting the liabilities of executors and administrators.

Reported the same with the opinion of the committee that it ought not to pass.

The question being taken on reading the said bill a third time, it was decided in the negative; and so the said bill was disagreed to.

Mr. Guthrie, from the same committee, to whom was referred a bill to incorporate the Fleming White Sulphur Springs Hotel Company, reported the same with amendments, which were twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act to change the Maysville election precinct, and for other purposes.

An act for the benefit of the sheriff of Bullitt county.

An act for the benefit of James Ramey.

An act to repeal the 14th section of an act entitled, an act to provide for the sale of vacant lands west of the Tennessee river, approved January 3d, 1825.

An act for the benefit of the county court clerk of Scott county, and for other purposes.

An act to incorporate a company to construct a turnpike road from Porter's ferry, through Burlington, to the Covington and Lexington turnpike road; and

An act to incorporate the Versailles, Midway and Georgetown turnpike company.

And that they had passed bills from the Senate, of the following titles, viz:

An act to amend the charter of the Bardstown and Louisville turnpike company.

An act for the benefit of William Green, of Harlan county.

An act for the benefit of the surveyor of Jefferson county.

An act for the benefit of Nathaniel Reynolds.

An act to incorporate the Eddyville Hotel Company.

An act prohibiting the making and circulating drafts, checks and orders, as money, in this Commonwealth.

An act to establish the county of Clinton.

An act to establish the Mechanics' Savings Institution of Louisville.

With amendments to the three last named bills.

The said amendments were twice read and concurred in.

Mr. Hanson, from the committee of Finance, to whom was re-

ferred a bill to improve the State Arsenal, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported, viz:

By Mr. Guthrie, from the committee of Courts of Justice—1. A bill providing for a change of venue in the case of John U. Waring—2. A bill to amend the law of bail in civil actions; and

By Mr. Hanson, from the committee of Finance—3. A bill concerning the laying and collecting the county levy of Fayette.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the first bill having been dispensed with, it was placed in the orders of the day.

The rule of the Senate, constitutional provision, and second and third readings of the second and third bills, having been dispensed with, and the same being engrossed.

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Watkins, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act to incorporate the Paris, North Middletown and Mountsterling turnpike road company.

An act for the benefit of the town of Danville.

An act changing a precinct in Washington county.

An act to change the time of holding the Logan county court.

An act to apply the fines and forfeitures of Hancock county, to the lessening the county levy.

An act to amend an act, entitled, an act vesting jurisdiction in the circuit courts to authorize the sale of the real estate of infants in certain cases; and

An act for the benefit of John A. Davenport and John Cunningham.

And had found the same truly enrolled.

The said bills had been signed by the Speaker of the House of Representatives.

Whereupon, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Watkins reported that the committee had performed that duty.

A message was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State, announcing that he had approved and signed enrolled bills which originated in the Senate of the following titles, viz:

An act for the benefit of the children of John Ball.

An act for the benefit of John Woods.

An act for the benefit of Elizabeth Graham.

An act to enlarge the constable's district including the town of Mount Vernon, in Rockcastle county.

An act establishing an election precinct in Breckenridge county.

An act to establish a Warehouse and Inspection of Tobacco, Flour, Pork and Salt, upon the lands of Wm. E. Sublett, at his Warehouse landing upon the Little Obion, in the county of Hickman.

An act for the benefit of John and Mary Jones, and their children.

An act for the benefit of the widow and heirs of Samuel Wood, deceased.

An act for the benefit of George Calmes.

An act to restore Philip King to the rights of an unmarried man.

An act for the benefit of Urith O. Hundley, and her children.

An act for the benefit of Eliza Maxfield and her children.

An act to authorize the county court of Bourbon county, to increase the levy of said county, and for other purposes.

An act for the benefit of the estate of Benjamin Cawthorn, dec'd.

An act for the relief of Mary G. Overton.

An act for the divorce of Virginia Thomas.

An act to incorporate the Kentucky Silk Culture and Manufacturing Company.

An act to incorporate the Franklin Bridge Company.

An act to incorporate the Newport, Falmouth, Cynthiana, Paris and Winchester turnpike road company.

An act to amend an act, entitled, an act to incorporate a company to turnpike the road from Nicholasville to Perryville, by way of Shakertown and Harrodsburg.

An act for the benefit of A. B. Morton, and others.

Approved 17th February, 1836.

The Senate, according to the standing order of the day, resolved itself into a committee of the whole House on the State of the Commonwealth, Mr. Smith in the chair—after some time spent in committee, the Speaker resumed the chair, when Mr. Smith reported that the committee had, according to order, had under consideration a bill from the House of Representatives, entitled, an act to incorporate the Louisville, Cincinnati and Charleston Rail

Road Company, and had gone through the same and made amendments thereto, which he handed in at the clerk's table. The said amendments were twice read and concurred in.

The forty-sixth section of the said bill is as follows, viz:

SEC. 46. And the said company shall be entitled only to such powers and privileges as shall be granted to it by all the Legislatures incorporating it, *and the powers necessary and proper to give them effect*; and shall be subject to all the restrictions and disabilities which may be imposed on it by any of the said Legislatures by the act of incorporation; so that its powers, privileges, and disabilities, may be similar in all the States of Kentucky, Tennessee, North Carolina, and South Carolina.

Mr. Guthrie moved to amend the said section by striking out the words "and the powers necessary and proper to give them effect," printed in italics.

The question being taken on the adoption of the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Willis and Guthrie, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bramlette, Carter, Coffey, Guthrie, James, Lusk, McDonald, Morgan, Murrell, Parker, Roberts, Sisk, Willis and Woolley—16.

NAYS—Messrs. Bush, Daviess, Gilbert, Grider, Hanson, Harreld, Jessup, McHenry, May, Metcalfe, Miller, Morehead, Patterson, Smith, Southgate, Thornton, Watkins, A. Young and S. Young—17.

The thirty-third section of the said bill is as follows, viz:

SEC. 33. The said company shall have the right, when necessary, to conduct the said Rail Road or any branch thereof, across or along any public road or water-course: *Provided*, that the said road and the navigation of such water-course shall not be thereby obstructed: *Provided*, that said company shall have no power to erect a bridge across the Ohio river.

Mr. Guthrie moved to amend the said section by adding thereto these words, viz: "and said company shall pay to every turnpike road company, all such damages as the construction of said Rail Road shall cause to the stock of such turnpike road company."

The question being taken on the adoption of the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Guthrie and Parker, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bramlette, Carter, Coffey, Guthrie, Harreld, McDonald, McHenry, Sisk, Smith and Willis—12.

NAYS—Messrs. Bush, Daviess, Gilbert, Grider, Hanson, James,

Jessup, Lusk, May, Metcalfe, Miller, Morehead, Morgan, Murrell, Parker, Patterson, Southgate, Thornton, Watkins, Woolley and S. Young—21.

The said bill having been amended by striking out the fifty-second section thereof, which is as follows, viz:

SEC. 52. That the State of Kentucky, shall, at any time after the period of fifteen years from the passage of this act, have power to purchase and hold the said road and all its branches within her limits, at the prime cost of the construction of said road and its branches, together with all the property both real and personal thereunto belonging, and shall, by her Legislature, have power to direct and regulate the trade thereon.

Mr. Guthrie moved to amend the said bill by inserting in lieu of the said section, the following, viz:

That the State of Kentucky shall, at any time after fifty years from the completion of the said road and branches in this State, have the right and power to purchase and hold the said road and all its branches within the limits of the State at the prime costs of the construction of said road and its branches, together with all property both real and personal thereto belonging, and shall by the Legislature provide, direct and regulate the travel and trade thereon.

The question being taken on the adoption of the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Willis and Guthrie, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bramlette, Coffey, Guthrie, James, McDonald, McHenry, Parker, Roberts, Sisk and Willis—12.

NAYS—Messrs. Bush, Daviess, Gilbert, Grider, Hanson, Harrel, Jessup, Lusk, May, Metcalfe, Miller, Morehead, Morgan, Patterson, Smith, Southgate, Thornton, Watkins, Woolley, A. Young and S. Young—21.

A part of the seventeenth section of the said bill is as follows, viz:

SEC. 17. The company shall have power, and may proceed to construct as speedily as their means will admit, Rail Roads with one or more tracks, to be used with steam, animal or any power, which shall pass through the States of Kentucky, Tennessee, North Carolina, and South Carolina, so as to form continuous lines of Rail Road between the cities of Louisville and Charleston, and Cincinnati and Charleston, by way of Lexington, the lines of which roads shall be established by the General Board of Directors, subject to the control of the stockholders at a general meeting.

Mr. Guthrie moved to amend the said section by striking out

"*Cincinnati*," and inserting in lieu thereof "*Covington or Newport*."

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Thornton and Parker, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bramlette, Coffey, Guthrie, James, McDonald, McHenry, Morgan, Parker, Roberts, Sisk, Willis and Woolley—14.

NAYS—Messrs. Bush, Carter, Daviess, Gilbert, Grider, Hanson, Harreld, Jessup, Lusk, May, Metcalfe, Miller, Morehead, Patterson, Smith, Southgate, Thornton, Watkins, A. Young and S. Young—20.

And then the Senate adjourned.

FRIDAY, FEBRUARY 19, 1836.

Mr. A. Young presented the petition of Lucy Stears, praying for a divorce from her husband, James Stears.

Which was received and referred to the committee of Religion.

A message was received from the House of Representatives, announcing, that they had receded from the third amendment proposed by them to a bill from the Senate, entitled, an act for condemning land and materials for the construction of turnpike roads, bridges, and other works of Internal Improvements.

And that they had received official information that the Lieutenant and acting Governor had approved and signed enrolled bills which originated in that House of the following titles, viz:

An act for the benefit of the town of Flemingsburg.

Resolution for the benefit of the commissioned officers of the United States Army, who served in the last war with Great Britain.

An act to provide for cleaning and repairing the public arms in the arsenal.

An act to appropriate a sum of money to build a Seminary of learning at Bradenburg.

An act to amend an act, entitled, an act to enlarge the boundaries of Georgetown, and for other purposes.

An act for the benefit of John Davis and his children.

An act to incorporate the Russelville Male Academy.

An act allowing an additional Magistrate and Constable to Washington county.

An act to amend an act to provide for the improvement of the road from Frankfort to Crab Orchard in Lincoln county.

An act to authorize the stockholders of the Covington and Lexington turnpike road company to vote whether Dry Creek Post Office shall or not be a point in said road.

An act to amend the law in relation to the opening and repairing roads in Campbell county.

An act for the benefit of Washington county, and for other purposes.

An act for the benefit of Mary Brown.

An act to extend the terms of the McCracken circuit court, and to change the terms of the Calloway circuit court.

An act for the benefit of Eliza Davis.

An act for the divorce of Pamela M. Parker.

An act to incorporate the Lebanon and Marion turnpike road company.

An act to amend the several acts to suppress the practice of duelling in this Commonwealth.

Approved 17th February, 1836.

And that they had passed bills of the following titles, viz:

1. An act to establish an election precinct at Farmington in Lincoln county.

2. An act to establish the town of Farmington, in Lincoln county, and for other purposes.

3. An act to amend an act to establish an inspection of Tobacco and other articles of commerce, in the town of Paducah.

4. An act for the benefit Maria D. Ewell and others.

5. An act to regulate the Hay Market in Shelbyville, and for other purposes.

6. An act to allow an additional justice of the peace to the county of Scott, and for other purposes.

7. An act for the benefit of the Newcastle Female Academy.

8. An act for the benefit of John Chesney.

9. An act to allow an additional justice of the peace to Lincoln county, and for other purposes.

10. An act appointing a commissioner on the Georgetown and Cincinnati road.

11. An act for the benefit of Nancy Halliard.

12. An act to establish a State road from Flynn's old ferry across the Ohio river, in the county of Livingston, to Princeton in Caldwell county, and for other purposes.

13. An act to authorize certain records, &c. of the Wayne and Nicholas county courts to be transcribed.

14. An act to change the name of Williamsburg in Mason county.

15. An act to change the place of voting in the Harrison or Licking precinct in Bath county.

16. An act for the benefit of William Rogerson, jailer of Spencer county, and for other purposes.

17. An act to change the name of William McNutt, to that of William Basye.

18. An act for the benefit of the clerk of Calloway county court, and for other purposes.

19. An act to incorporate the Mill's point Warehouse Company.

20. An act to allow an additional constable to the county of Hancock.

21. An act to amend an act entitled, an act authorizing the sale of a portion of the real estate of Samuel Blankenbecker, dec'd. to pay his debts, approved February 14th, 1835.

22. An act to change the line between the counties of Madison and Rockcastle.

23. An act appointing commissioners to locate the way for a road from near the farm of David Davis, in Lawrence county, to the State road in Greenup county.

24. An act to incorporate the Russellville and Clarkesville Rail Road Company.

25. An act to amend an act to improve the navigation of Muddy river.

26. An act to legalize the proceedings of a court for the assessment of fines in the 34th Regiment of Kentucky Militia, and for other purposes.

27. And an act to enlarge the constable's district of the town of Monticello.

Which bills were severally read the first time, and except the 22d, were ordered to be read a second time.

The question being taken on reading the twenty-second bill a second time, it was decided in the negative, and so the said bill was disagreed to.

The rule of the Senate, constitutional provision, and second reading of the second, fourth, seventh, ninth, twelfth, thirteenth, eighteenth, nineteenth, twenty-first, twenty-third and twenty-fourth bills having been dispensed with, they were referred; the second, fourth, ninth, thirteenth, eighteenth and twenty-first, to the committee of Courts of Justice; the seventh, to the committee of Education, the twelfth, nineteenth, twenty-third and twenty-fourth, to the committee of Internal Improvements.

The rule of the Senate, constitutional provision, and second and third readings of the first, third, fifth, sixth, eighth, tenth, eleventh, fourteenth, fifteenth, sixteenth, twentieth, twenty-fifth, twenty-sixth and twenty-seventh bills, having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred a bill giving the trustees of Elizabethtown more power than they now have by law, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title be, an act extending the powers of the city authorities and trustees of towns in this Commonwealth.

Mr. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act subjecting to county levy, in the counties of Caldwell and Livingston, all slaves that may each year hereafter be hired or otherwise introduced into said counties, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Willis moved the following resolution, viz:

Resolved by the Senate, That the conduct of the Hon. Thomas James, a member of the Senate, from the counties of Hickman, Graves, Calloway and McCracken, in withdrawing the amendment which was offered by Mr. Grider on the 11th instant, to a bill defining the powers and duties of the Board of Internal Improvement, and for other purposes, is, in the opinion of the Senate, wholly free from censure or impropriety: the said James, having first obtained the consent of the clerk of the Senate, to withdraw the same, it being a paper not noticed on the Journal, and not such a paper as is usual to be filed and preserved.

Which was twice read and unanimously adopted.

Mr. Daviess, from the committee of Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled, an act to establish the county of Trimble, and for other purposes, reported the same without amendment.

Ordered, That the said bill be made the order of the day for to-morrow.

Mr. Miller, from the committee of Religion to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Malinda R. Devers, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Metcalfe, the committee of Internal Improvements was discharged from the further consideration of a bill to establish a Board of Internal Improvement for Cumberland river.

On the motion of Mr. Parker—

The resolution fixing a day for the adjournment of the General Assembly was taken up.

Mr. Parker moved to fill the blank in the said resolution with "Monday the 29th instant," as the day for the adjournment.

Mr. Willis moved to fill the said blank with "Saturday the 27th instant."

And Mr. Thornton moved to fill the said blank with "Thursday the 25th instant."

The question being taken on filling the said blank with "Monday the 29th instant," it was decided in the negative.

The question was then taken on filling the said blank with "Saturday the 27th instant," and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hanson and Parker, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Bramlette, Daviess, Grider, Guthrie, Hanson, James, Jessup, Lusk, May, Metcalfe, Miller, Morehead, Morgan, Murrell, Parker, Patterson, Roberts, Sisk, Smith, Watkins, Willis and S. Young—23.

NAYS—Messrs. Boyd, Coffey, Gilbert, Harreld, McDonald, McHenry, Southgate, Thornton, Woolley and A. Young—10.

The said resolution was then adopted.

Mr. Murrell, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act supplemental to an act, entitled, an act to incorporate a company to construct a turnpike road from Taylorsville in Spencer county to intersect the turnpike from Bardstown to Louisville.

An act amending the road law in Greenup county.

An act to establish and regulate the town of Hawesville, in the county of Hancock.

An act to incorporate the Cumberland River turnpike road company.

An act to establish and construct a State road from Pikeville to the Virginia line, at the Sounding Gap, in the Cumberland Mountain.

An act declaring the Middle Fork of the Kentucky river a navigable stream up to the mouth of Laurel on said fork.

An act to incorporate a company to turnpike a road from Shelbyville, Shelby county, to Taylorsville in Spencer county.

An act to add an additional term to the Allen circuit court.

An act divorcing Sarah Crutcher from her husband James W. Crutcher.

An act concerning public roads in Mason county.

An act to amend the charter of the Lexington and Ohio Rail Road Company.

An act incorporating the Union Agricultural Society.

An act to incorporate the Elizaville and Mayslick turnpike road company.

An act to amend the charters of the Bank of Kentucky, and the Northern Bank of Kentucky.

An act authorizing the trustees of towns in this Commonwealth, to tax shows within one quarter of a mile of the limits of said towns.

An act to incorporate the Elizabethtown Circulating Library Company.

An act to establish the town of Dover, in Mason county.

An act further to define the powers of the trustees of the town of Sommerset in Pulaski county; and

An act for the benefit of the devisees of Thomas Courtney, deceased.

And had found the same truly enrolled.

That the said bills had been signed by the Speaker of the House of Representatives.

Whereupon, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

The Senate resumed the consideration of a bill from the House of Representatives, entitled, an act to incorporate the Louisville, Cincinnati and Charleston Rail Road Company.

A part of the 17th section of the said bill is as follows, viz:

"*Provided*, That it is a condition of this charter, that when the line of Road shall have been established [through the Cumberland Mountains, the Company shall lay out a route of a Rail Road from some point on the said Road north-west of the said Mountains, and as near thereto, as the ground will well permit] running therefrom, in the best practicable direction, south of the Kentucky river, having a due regard to the most direct line, to the city of Louisville, which shall be constructed by the said company, simultaneously with the construction of the Rail Road from that point to the Ohio river at Covington or Newport."

Mr. McHenry moved to amend the said section by striking out

the words included in brackets, and inserting in lieu thereof the following, viz:

"To some point south-east of the Cumberland Mountain, where the situation of the country will best permit, the company shall lay out a route of Rail Road from such point as they may think best."

The question being taken on the adoption of the said amendment, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. McHenry and Parker, were as follows, viz:

YEAS—Messrs. Coffey, Guthrie, McHenry, Roberts and Willis—5.

NAYS—MR. SPEAKER, Messrs. Boyd, Bush, Daviess, Gilbert, Grider, Hanson, Harreld, Jessup, Lusk, McDonald, May, Metcalfe, Miller, Morehead, Morgan, Murrell, Parker, Patterson, Sisk, Smith, Southgate, Thornton, Watkins, Woolley, A. Young and S. Young—27.

The question being taken on reading the said bill a third time as amended, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. McHenry and Woolley, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Bush, Coffey, Daviess, Gilbert, Grider, Hanson, Harreld, Jessup, Lusk, McDonald, May, Metcalfe, Miller, Morehead, Morgan, Parker, Patterson, Smith, Southgate, Thornton, Watkins, Woolley, A. Young and S. Young—25.

NAYS—Messrs. Boyd, Carter, Guthrie, McHenry, Murrell, Roberts, Sisk and Willis—8.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Mr. Thornton moved to amend the said bill by adding thereto, the following engrossed clause by way of rider, viz:

Be it enacted, That the branch of said Rail Road from Covington or Newport, by way of Lexington, shall proceed up the Licking river valley, to a point at or near Paris, Bourbon county, and from thence proceed to Lexington.

The question being taken on the adoption of the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Willis and Parker, were as follows, viz:

YEAS—Messrs. Metcalfe, Miller, Southgate, Thornton and A. Young—5.

NAYS—MR. SPEAKER, Messrs. Boyd, Bramlette, Bush, Carter, Coffey, Daviess, Gilbert, Grider, Guthrie, Hanson, Harreld, Jessup, Lusk, McDonald, McHenry, May, Morehead, Morgan, Murrell, Parker, Patterson, Roberts, Sisk, Smith, Watkins, Willis, Woolley and S. Young—29.

The question was then taken on the passage of the said bill as amended, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Willis and Southgate, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Bush, Carter, Coffey, Daviess, Gilbert, Grider, Hanson, Harreld, Jessup, Lusk, McDonald, May, Metcalfe, Miller, Morehead, Morgan, Parker, Patterson, Smith, Southgate, Thornton, Watkins, Woolley, A. Young and S. Young—26.

NAYS—Messrs. Boyd, Bramlette, Guthrie, James, McHenry, Murrell, Roberts, Sisk and Willis—9.

Resolved, That the title of the said bill be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled, an act to establish a police court in the city of Louisville, and to amend the charter of said city, with amendments.

The said amendments were severally twice read and concurred in, except one.

The said bill and that amendment were referred to the committee of Courts of Justice.

The following bills were reported, viz:

By Mr. Guthrie, from the committee of Courts of Justice—A bill to incorporate the Franklin Fire and Marine Insurance Company of Louisville—A bill to incorporate the Portland Dry Dock and Insurance Company, and a bill concerning the Grand Lodge of Kentucky.

And by Miller, from the committee of Religion—A bill for the benefit of George Davis.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Southgate having obtained leave, reported a bill to amend an act to incorporate the Newport, Falmouth, Cynthiana, Paris and Winchester turnpike road company.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Woolley, from the committee to whom was referred a bill

to change the times of holding the Shelby and Woodford circuit courts after the tenth day of May next, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title be amended by adding thereto, and for other purposes.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred a bill from the House of Representatives, entitled, an act to establish a police court in the city of Louisville, and to amend the charter of the said city, and the amendment proposed thereto by the House of Representatives, reported the same without amendment.

Resolved, That the said amendment be concurred in.

On the motion of Mr. Willis, leave was given to bring in a bill to change the time of holding the Hart circuit court; and Messrs. Willis, Roberts and S. Young, were appointed a committee to prepare and bring in the same.

Bills from the House of Representatives, of the following titles, viz:

1. An act for the benefit of James Ramey.
2. An act to incorporate a company to construct a turnpike road from Porter's ferry, through Burlington, to the Covington and Lexington turnpike road.
3. An act for the benefit of the sheriff of Bullitt county.
4. An act to incorporate the Versailles, Midway and Georgetown turnpike company.
5. An act to repeal the 14th section of an act entitled, an act to provide for the sale of vacant lands west of the Tennessee river, approved January 3d, 1825; and
6. An act for the benefit of the county court clerk of Scott county, and for other purposes.

Were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, the first and third were referred to the committee of Finance; the second and fourth to the committee of Internal Improvements, and the fifth and sixth to the committee of Courts of Justice.

A bill from the House of Representatives, entitled, an act to change the present mode of summoning jurors in this Commonwealth, and to provide for their compensation, was read the third time.

On the motion of Daviess, it was amended by way of engrossed ryder, and the further consideration thereof postponed, and made the order of the day for Monday next.

On the motion of Mr. Guthrie, the vote was re-considered by which a bill from the House of Representatives, entitled, an act to establish the county of Trimble, and for other purposes, was made the order of the day for to-morrow; and it was thereupon made the order of the day for Monday next.

And then the Senate adjourned.

SATURDAY, FEBRUARY 20, 1836.

Mr. Willis presented the petition of Nancy Clark, praying for a divorce from her husband, James Clark.

Which was received and referred to the committee of Religion.

The following bills from the House of Representatives, were reported without amendment, from the committee of Courts of Justice, to whom they had been referred, viz:

By Mr. Thornton—

An act to amend an act entitled, an act authorizing the sale of a portion of the real estate of Samuel Blankenbecker, dec'd. to pay his debts, approved February 14th, 1835.

An act for the benefit Maria D. Ewell and others.

An act for the benefit of the clerk of Calloway county court, and for other purposes.

By Mr. Lusk—

An act to repeal the 14th section of an act entitled, an act to provide for the sale of the vacant lands west of the Tennessee river, approved January 3d, 1825.

An act for the benefit of the county court clerk of Scott county, and for other purposes; and

An act to authorize certain records &c. of the Wayne and Nicholas county courts to be transcribed.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Thornton, from the committee of Courts of Justice, to whom was referred a bill from the House of Representatives, entitled, an act to establish the town of Farmington, in Lincoln county, and

for other purposes, reported the same with amendments which were twice read and concurred in.

Ordered, That the said bill be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof, be amended by striking out Farmington, and inserting, in lieu thereof, "Smithville."

Mr. Lusk, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to allow an additional justice of the peace to Lincoln county, and for other purposes, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act to regulate the compensation of the members of the Legislature.

An act to regulate the salary of the Governor.

An act for the benefit of Thomas C. Davis.

An act for the divorce of Rachel Scott.

An act to amend the charter of the Louisville Savings Institution; and

An act to amend the charters of the Bank of Louisville, and the Louisville Savings Institution.

And that they had passed bills of the following titles, viz:

An act concerning the roads west of the Tennessee river; and

An act to regulate the town of Falmouth in Pendleton county.

A message in writing was received from the Lieutenant and acting Governor by Mr. Owsley, Secretary of State.

The rule of the Senate having been dispensed with, the said message was taken up, and read as follows, viz:

Gentlemen of the Senate:

I nominate, for your advice and consent, Alfred Breck, to be Sheriff of Caldwell county, in place of Jeremiah Rucker, resigned.

Richard Miles, to be Colonel of the 24th Regiment, in place of John Swansey, resigned.

Ephraim Hill, to be Lt. Col. of the same, in place of R. Coffield, resigned.

Daniel A. Flannary, to be Major of the same, in place of R. Miles, if promoted.

David L. Miller, to be Colonel of the 49th Regiment, in place of B. Austin, resigned.

John H. McHenry, to be Lt. Col. of the same, in place of D. L. Miller, if promoted.

John Patton, to be Major of the same, in place of J. H. McHenry, if promoted.

J. T. MOREHEAD.

February 20th, 1836.

Resolved, That the Senate advise and consent to the said appointments.

Ordered, That Mr. Grider inform the Lieutenant and acting Governor thereof.

A message was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State, announcing that he had approved and signed enrolled bills which originated in the Senate of the following titles, viz:

An act to incorporate a company to turnpike a road from Shelbyville, Shelby county, to Taylorsville in Spencer county.

An act further to define the powers of the Trustees of the town of Sommerset, in Pulaski county.

An act for the benefit of the devisees of Thos. Courtney, dec'd.

An act authorizing the trustees of towns in this Commonwealth to tax shows within one quarter of a mile of the limits of said towns.

An act to amend the charters of the Bank of Kentucky, and the Northern Bank of Kentucky.

An act to incorporate the Elizabethtown Circulating Library Company.

An act to establish the town of Dover, in the county of Mason.

An act to incorporate the Elizaville and Mayslick turnpike road company.

An act to amend the charter of the Lexington and Ohio Rail Road Company.

An act concerning the public roads in Mason county.

An act incorporating the Union Agricultural Society.

An act divorcing Sarah and James W. Crutcher.

An act to add an additional term to the Allen circuit court.

An act declaring the Middle Fork of the Kentucky river a navigable stream up to the mouth of Laurel on said fork.

An act to establish and construct a State road from Pikeville to the Virginia line, at the Sounding Gap, in the Cumberland Mountain.

An act to incorporate the Cumberland River turnpike road company.

An act to establish and regulate the town of Hawesville, in the county of Hancock.

An act amending the road law in Greenup county.

An act supplemental to an act, entitled, an act to incorporate a company to construct a turnpike road from Taylorsville in Spencer county to intersect the turnpike from Bardstown to Louisville.

Approved 20th February, 1836.

Mr. Bush read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Printer be directed to print ten thousand copies of the titles of the acts of the present session, with a concise statement of their prominent features, for the use of the good people of this State.

The rule of the Senate, having been dispensed with, the said resolution was taken up, twice read and adopted.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Miller, from the committee of Religion—1. A bill for the benefit of William Parker and John Hall—2. A bill for the benefit of Lucy Stears.

By Mr. James—3. A bill to protect the actual settlers west of the Tennessee river.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the first and second bills, having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

The rule of the Senate, constitutional provision, and second reading of the third bill having been dispensed with, it was referred to the committee of Courts of Justice.

Mr. Harreld, from the committee of Religion, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Mary P. Clark, reported the same without amendment.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Southgate, from the committee of Internal Improvements,

to whom was referred a bill from the House of Representatives, entitled, an act to incorporate a company to construct a turnpike road from Porter's ferry, through Burlington, to the Covington and Lexington turnpike road, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Willis, from the committee of Education, reported a bill for the benefit of the Madisonville, and other seminaries of learning, which was read the first time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was amended,

And on the motion of Mr. Sisk, was laid on the table until the first day of June next.

Leave having been given, the following bills were reported:

By Mr. Southgate—A bill appointing a commissioner to make conveyances in certain cases.

And by Mr. Boyd—A bill to increase the salary of the circuit Judges in this Commonwealth.

Which bills were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the former bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The rule of the Senate, constitutional provision and second reading of the latter bill having been dispensed with, it was referred to the committee of Courts of Justice.

Leave was given to bring in the following bills, viz:

On motion of Mr. Coffey—1. A bill for the benefit of the Adair and Russell county seminaries of learning—and 2. A bill to appropriate a sum of money, to the improvement of the road from Stanford, in Lincoln county, to Columbia, in Adair county, by the way of McKinney's station, and through Liberty in Casey county.

On the motion of Mr. Watkins—3. A bill to increase the salary of the Auditor and Treasurer of this Commonwealth.

And on the motion of Mr. Grider—4. A bill to raise the Register's salary.

The committee of Education was directed to prepare and bring in the first; the committee of Finance the fourth; Messrs. Coffey, Smith and McHenry, were appointed a committee to prepare and bring in the second, and Messrs. Watkins, Patterson and Daviess, the third.

The yeas and nays being required on granting leave to bring in the third bill, by Mr. Watkins and Thornton, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bramlette, Bush, Daviess, Gilbert, Grider, Hanson, Harreld, Lusk, McDonald, May, Miller, Morehead, Parker, Roberts, Sisk, Watkins and A. Young—19.

NAYS—Messrs. Coffey, Jessup, McHenry, Murrell, Patterson, Smith, Southgate, Thornton and Willis—9.

Mr. Watkins moved for leave to bring in a bill to increase the salary of the Judges of the Court of Appeals.

The question being taken thereon, it was decided in the negative.

On the motion of Mr. A. Young, the last vote was re-considered.

The question being again taken on granting leave to bring in the said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Watkins and Grider, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bramlette, Bush, Gilbert, Grider, Hanson, Harreld, Lusk, May, Miller, Morehead, Morgan, Parker, Patterson, Roberts, Smith, Watkins and A. Young—19.

NAYS—Messrs. Coffey, Daviess, Jessup, McDonald, McHenry, Murrell, Sisk, Southgate, Thornton and Willis—10.

Ordered, That the committee of Courts of Justice prepare and bring in the said bill.

On the motion of Mr. James—

Resolved, That the committee on Finance be instructed to enquire into the expediency and propriety of amending the law in relation to the collection of the county levy in the several counties in this Commonwealth, so as to have the same collected upon the *ad valorem* principle, and in the same manner that the revenue tax is now collected.

Mr. Murrell, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act to establish the county of Clinton.

An act to amend an act entitled, an act to establish a road from the mouth of Salt river, to intersect the road from Brandenburg to Bowlinggreen.

An act to amend the several acts of Assembly relating to, and incorporating a company to turnpike a road from Louisville to Nashville.

And an act to incorporate the Maysville and Bracken turnpike road company.

An act for the benefit of the heirs of Mary Hornbeck.

An act respecting the Bank of the Commonwealth.

An act to authorize circuit courts to license the printers of

newspapers to insert certain public orders and notices in their papers.

And had found the same truly enrolled.

The said bills had been signed by the Speaker of the House of Representatives.

Whereupon, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

A bill providing for a change of venue in the case of John U. Waring, was taken up.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A bill from the House of Representatives, entitled, an act to regulate the town of Falmouth in Pendleton county,

Was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Willis moved that a message be sent to the House of Representatives, requesting leave to withdraw the report from the Senate to that House, announcing, that the Senate had concurred in the amendments proposed by that House, to a bill from the Senate, entitled, an act to establish a police court in the city of Louisville, and to amend the charter of said city.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Willis and Boyd, were as follows, viz:

YEAS—MR. SPEAKER, MESSRS. Carter, Hanson, McDonald, May, Miller, Morgan, Parker, Smith, Southgate, Thornton and Willis—12.

NAYS—Messrs. Boyd, Bramlette, Gilbert, Harreld, McHenry, Morehead, Murrell, Patterson, Sisk, Watkins and A. Young—11.

Ordered, That Mr. Willis carry the said message.

And then the Senate adjourned.

MONDAY, FEBRUARY 22, 1836.

A message was received from the House of Representatives, announcing that they had received official information that the Lieutenant and acting Governor had approved and signed enrolled bills which originated in that House of the following titles, viz:

An act appropriating the fines and forfeitures of Hancock county, to the lessening the county levy.

An act to change the time of holding the Logan county court.

An act to incorporate the Carlisle, Flat Rock, North Middletown and Winchester turnpike road company.

An act for the benefit of the town of Danville.

An act changing a precinct in Washington county.

An act to amend an act, entitled, an act vesting jurisdiction in the circuit courts to authorize the sale of the real estate of infants in certain cases; and

An act for the benefit of John A. Davenport and John Cunningham.

Approved 20th February, 1836.

And that they had passed bills from the Senate, of the following titles, viz:

An act to legalize the proceedings of the Franklin county court, at their February term, 1836.

An act to enlarge the constable's district of the town of Greensburg.

An act to incorporate the Maysville Hotel Company.

An act to enlarge the boundary of the town of Glasgow.

An act concerning the town of Bowlinggreen.

An act for the benefit of James McDowell, Jr. of Rockbridge county, Virginia.

An act to incorporate the Newport Lyceum.

An act to amend an act to incorporate the Newport, Falmouth, Cynthia, Paris and Winchester turnpike road company.

An act to incorporate the Fleming White Sulphur Springs Hotel Company.

An act concerning the laying and collecting the county levy of Fayette.

An act for the benefit of J. B. Husbands, surveyor of McCracken county.

And that they had concurred in the amendments proposed by the Senate, to bills from that House of the following titles, viz:

An act to amend the several acts of Assembly in relation to the Deaf and Dumb Asylum at Danville.

An act to incorporate the Louisville, Cincinnati and Charleston Rail Road Company.

An act for the benefit of Mary E. Stansbury.

An act to incorporate the Newcastle Female Academy, and for other purposes.

An act to amend the charter of the Louisville turnpike company.

An act for the benefit of Thomas S. Ellison.

An act to amend the charter of the Shepherdsville and Elizabethtown turnpike road company.

An act to authorize certain county courts to appoint constables and magistrates.

An act to amend an act, entitled, an act to incorporate the Covington and Cincinnati Manufacturing Company.

An act to incorporate the Paris, North Middletown and Mount Sterling turnpike road company.

An act extending for a certain period and with certain limitations, the charter of the old Bank of Kentucky.

An act to improve the roads in Monroe, Allen and Cumberland counties.

An act to amend an act approved 22d December, 1831, entitled, an act to incorporate the Green River Rail Road Company.

An act to amend an act, entitled, an act to incorporate the Glasgow and Munfordsville turnpike company; and

An act to incorporate the Springfield, Perryville and Danville turnpike road company.

And that they had passed bills of the following titles, viz:

An act for the benefit of Greenup and Lewis counties; and

An act to authorize the county courts of Jessamine, Woodford, Warren and Mercer counties, to sell their poor houses.

Mr. Watkins, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act for the benefit of the Jailers of Marion and Henry counties.

An act for the benefit of the Russellville Male Academy.

An act to amend the charters of the Bank of Louisville, and the Louisville Savings Institution.

An act to amend the charter of the Louisville Savings Institution.

An act for the better regulation of the town of Hardinsburg, and for other purposes.

An act for the benefit of Thomas C. Davis.

An act to regulate the salary of the Governor.

An act for the divorce of Rachel Scott.

An act to regulate the compensation of the members of the Legislature.

An act to establish a police court in the city of Louisville, and to amend the charter of said city.

An act condemning land and materials for the construction of turnpike roads, bridges and other works of Internal Improvements. And had found the same truly enrolled.

That the said bills had been signed by the Speaker of the House of Representatives.

Whereupon, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Watkins reported that the committee had performed that duty.

Mr. Southgate presented the petition of sundry citizens of Franklin county, praying for an additional election precinct in said county.

Mr. Morehead presented the petition of Nancy Hill, praying for a divorce from her husband, John T. Hill.

Which petitions were received, the former was referred to the committee of Propositions and Grievances, and the latter to the committee of Religion.

On the motion of Mr. Guthrie—

Ordered, That the clerk of the Senate be permitted to employ an additional assistant clerk, during the residue of the present session.

Mr. Bush having obtained leave, reported a bill incorporating the South Frankfort Bridge Company.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Internal Improvements.

Mr. Miller, from the committee of Religion to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Elizabeth Pugh, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to incorporate the Russellville and Clarkesville Rail Road Company.

An act appointing commissioners to locate the way for a road

from near the farm of David Davis, in Lawrence county, to the State road in Greenup county.

An act for the benefit of Hannah Hunter.

An act to incorporate the Mill's point Warehouse Company.

An act to establish a State road from the mouth of Troublesome Creek, to the Sounding Gap of the Cumberland Mountain.

An act to incorporate the Clarke and Madison turnpike road company.

An act to incorporate the Canton, Cadiz and Hopkinsville turnpike road company.

An act to incorporate the Glasgow and Scottville turnpike road company.

An act to incorporate a company to make a turnpike road from Perryville to Greensburg, by way of Lebanon and New Market.

Reported the same without amendment.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Metcalfe, from the same committee, to whom was referred bills from the House of Representatives, entitled, an act to amend an act, entitled, an act to incorporate the Winchester and Lexington turnpike company.

And an act incorporate the Richmond and London turnpike road company; reported the same with amendments, which were twice read and concurred in.

Ordered, That the said bills be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills, as amended, do pass, and that the titles thereof be as aforesaid.

Mr. Metcalfe, from the same committee, to whom was referred a bill to construct a bridge across Chaplain's fork, at or near Hobbs' mill, in Washington county, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled, an act

for the benefit of the sheriff of Bullitt county, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Grider, from the committee of Education, to whom was referred a bill from the House of Representatives, entitled, an act for an appropriation to the Allen seminary of learning, reported the same without amendment.

The question being taken on the passage of the said bill it was decided in the negative; and so the said bill was disagreed to.

Mr. Grider, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the Monroe seminary of learning, reported the same without amendment.

The said bill is as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That from and after the passage of this act, it shall be lawful for a majority of the trustees of the Monroe seminary of learning, to form a quorum to transact business, and the present trustees shall have power to appoint two or more, if they shall deem it necessary, and shall have power to fill any vacancy that may happen.

SEC. 2. *Be it further enacted*, That whenever the citizens of the county of Monroe, shall subscribe and pay into the hands of the trustees of the Monroe seminary of learning, which is situate in the said county of Monroe, the sum of five hundred dollars, and the same shall be certified by the president or chairman of the board of trustees of said seminary, to the auditor of public accounts, it shall be lawful, and the auditor is hereby directed to issue his warrant on the treasurer, for the sum of five hundred dollars, in favor of the said president or chairman of the said board of trustees, for the use and benefit of the said seminary, and the treasurer is hereby directed to pay the same out of any moneys not otherwise appropriated.

The question being taken on the passage of the said bill it was decided in the negative, and so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. Parker and Grider, were as follows, viz:

YEAS—Messrs. Bramlette, Coffey, Grider, Hanson, Jessup, McDonald, McHenry, May, Morehead and Sisk—10.

NAYS—MR. SPEAKER, Messrs. Boyd, Daviess, Gilbert, Guthrie, Harreld, Lusk, Miller, Murrell, Parker, Patterson, Smith, Southgate, Thornton, Watkins, Willis, A. Young and S. Young—18.

Mr. Watkins, from the committee appointed for that purpose, reported a bill to increase the salary of the Judges of the Court of Appeals.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill was dispensed with.

The said bill is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Judges of the Court of Appeals of this Commonwealth, shall, from and after the passage of this act, receive as a compensation for their services, the sum of _____.

Mr. Watkins moved to fill the blank in the said bill with "two thousand dollars."

Mr. Carter moved to fill the blank with "one thousand seven hundred and fifty dollars."

And Mr. McHenry moved to fill the said blank with "twelve hundred and fifty dollars."

The question being taken on filling the said blank with "two thousand dollars," it was decided in the negative.

The yeas and nays being required thereon by Messrs. Guthrie and Watkins, were as follows, viz:

YEAS—Messrs. Boyd, Carter, Grider, Guthrie, Hanson, Lusk, Watkins and Woolley—8.

NAYS—MR. SPEAKER, Messrs. Bramlette, Bush, Coffey, Daviess, Gilbert, Harreld, James, Jessup, McDonald, McHenry, May, Metcalfe, Miller, Morehead, Murrell, Parker, Patterson, Sisk, Smith, Southgate, Thornton, Willis, A. Young and S. Young—25.

Mr. A. Young moved to lay the said bill on the table until the first day of June next.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. A. Young and Watkins, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Bramlette, Coffey, Daviess, Gilbert, Hanson, James, Jessup, Lusk, McHenry, May, Metcalfe, Morehead, Morgan, Murrell, Parker, Patterson, Roberts, Sisk, Smith, Thornton, Woolley, A. Young and S. Young—24.

NAYS—Messrs. Boyd, Bush, Carter, Grider, Harreld, McDonald, Miller, and Watkins—8.

A message was received from the Lieutenant and acting Governor, announcing that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to incorporate the Maysville and Bracken turnpike road company.

An act to amend the several acts of Assembly relating to, and incorporating a company to turnpike a road from Louisville to Nashville.

An act to amend an act entitled, an act to establish a road from the mouth of Salt river, to intersect the road from Brandenburg to Bowlinggreen.

An act to establish the county of Clinton.

An act to authorize circuit courts to license the printers of newspapers to insert certain public orders and notices in their papers.

An act for the benefit of the heirs of Mary Hornbeck.

An act respecting the Bank of the Commonwealth.

An act for the divorce of Rachel Scott.

An act to regulate the compensation of the members of the Legislature.

An act to regulate the salary of the Governor.

An act for the benefit of Thomas C. Davis.

An act for the better regulation of the town of Hardinsburg, and for other purposes.

An act to amend the charter of the Louisville Savings Institution.

An act to amend the charters of the Bank of Louisville, and the Louisville Savings Institution.

An act condemning land and materials for the construction of turnpike roads, bridges and other works of Internal Improvements.

An act to establish a police court in the city of Louisville, and to amend the charter of said city.

Approved 22d February, 1836.

Leave having been given, the following bills were reported, viz:

By Mr. James—A bill further to regulate the settlement of the accounts of executors, administrators and guardians; and

By Mr. Guthrie—A bill to amend an act, entitled, an act regulating the mode of settling the accounts of Executors, administrators and Guardians.

Which bills were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, they were referred to the committee of Courts of Justice.

On the motion of Mr. James, the vote referring the latter bill to the committee of Courts of Justice, was re-considered.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading thereof having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Metcalfe, from the committee of Internal Improvements, reported a bill to improve the road leading from Cumberland Ford to Mount Pleasant in Harlan county,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the committee of Finance, reported a bill to increase the Register's salary, which was read the first time.

The question being taken on reading the said bill a second time, it was decided in the negative, and so the said bill was rejected.

Mr. McHenry read and laid on the table, the following resolution, viz:

Resolved by the Senate and House of Representatives of the Commonwealth of Kentucky, That a committee composed of five members from the Senate, and ten from the House of Representatives, be appointed with power to call upon the principal Engineer, for his sketch of the several examinations and surveys made by him upon the Kentucky river, together with his views in relation to the practicability of connecting the waters of the Kentucky river, with the waters of the Tennessee river by a canal, accompanied by an estimate of the probable expense of so connecting said water courses by a canal, and making them navigable; and that said committee report to each house the expediency and propriety of the State aiding in carrying out said work, and accompany it with the views and estimates made by said Engineers.

On the motion of Mr. Woolley, leave was given to bring in a bill to incorporate the Lexington Fire, Life and Marine Insurance Company.

And the committee of Courts of Justice was directed to prepare and bring in the same.

On the motion of Mr. Southgate--

Ordered, That the public printer print three hundred copies of an act, entitled, "an act to provide for condemning land and materials for the construction of turnpike roads, bridges and other works of Internal Improvements," for the use of the General Assembly.

The Senate resumed the consideration of a bill to change the present mode of summoning jurors in this Commonwealth, and to provide for their compensation.

Mr. Smith moved amend the said bill by adding thereto, the following engrossed clause by way of rider, viz:

And whereas, this act repeals all laws authorizing an attorney's fee to be taxed on all judgments when costs are recovered in favor of the successful, and against the unsuccessful party, except in cases upon presentment or indictment, to which the Commonwealth shall be a party, and except when no jury shall have been empaneled: therefore,

Be it further enacted, That it shall be the special duty of all attorneys in the practice of the law in this Commonwealth, upon the application of any plaintiff or plaintiffs, to institute any suit or suits, and prosecute the same to judgment without fee or reward, as strictly and attentively as though a fee was to be paid, and shall attend to all suits heretofore brought for the plaintiffs without fee; and any attorney or attorneys, failing to comply with the true intent and meaning of this act, or receiving any money or property for his services where no fee is allowed by this act, upon due proof, the court before such suit or suits may be pending, shall enter a fine in any sum not exceeding fifty dollars against said attorney or attorneys, to be collected for the benefit of the plaintiff or plaintiffs giving the information.

The question being taken on the adoption of the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Parker and Smith, were as follows, viz:

YEAS—Messrs. Gilbert, Miller, Patterson and Smith—4.

NAYS—MR. SPEAKER, Messrs. Boyd, Bush, Carter, Coffey, Daviess, Grider, Guthrie, Hanson, James, Jessup, Lusk, McHenry, May, Metcalfe, Morehead, Murrell, Parker, Southgate, Thornton, Watkins, Willis and S. Young—23.

Mr. Smith then moved to amend the said bill by adding thereto the following engrossed clause, by way of rider, viz:

Be it further enacted, That from and after the passage of this act, all sheriffs in this Commonwealth shall be allowed ten per cent for the collection of the revenue, instead of the per cent now allowed by law.

The question being taken on the adoption of the said amendment, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Smith and Parker, were as follows, viz:

YEAS—Messrs. Gilbert, Miller and Smith—3.

NAYS—MR. SPEAKER, Messrs. Boyd, Bush, Carter, Coffey, Daviess, Grider, Guthrie, Hanson, Harreld, James, Jessup, Lusk, McHenry, May, Metcalfe, Morehead, Murrell, Parker, Patterson, Southgate, Thornton, Watkins, Woolley, A. Young and S. Young—26.

Mr. Hanson moved to postpone the further consideration of the said bill for Wednesday next.

Mr. Daviess moved to lay the said bill on the table until the first day of June next.

And then the Senate adjourned.

TUESDAY, FEBRUARY 23, 1836.

A message was received from the House of Representatives, announcing that they had disagreed to the amendments proposed by the Senate to bills from that House, of the following titles, viz:

An act to establish the town of Farmington, in Lincoln county, and for other purposes; and

An act to allow an additional justice of the peace to Lincoln county, and for other purposes.

The said bills and amendments were referred to the committee of Propositions and Grievances.

And that they had passed bills from the Senate, of the following titles, viz:

An act to incorporate a company to construct a turnpike road from Springfield to Maxville, and thence to intersect the Crab Orchard road at Harrodsburg.

An act for the benefit of William Parker and John Hall.]

An act for the benefit of Lucy Stears.

An act for the benefit of Eliza Brown; and

An act to incorporate the Kentucky Mining Company.

And that they had passed bills of the following titles, viz:

An act to provide for the building a bridge across Chaplin river, and for other purposes.

An act to provide for the appointment of Patrollers in this Commonwealth.

An act for the benefit of Joseph Clarke, late sheriff of Franklin county.

An act further to regulate the Board of Internal Improvements, for the counties west of the Tennessee river.

An act for the benefit of William Tuggles' devisees and heirs.

An act to incorporate the Georgetown accommodation company.

An act for the benefit of Stephen Peyton's heirs, and others.

An act allowing Samuel Graves a change of venue.

An act for the benefit of the administrator and heirs of Joseph L. McKee, deceased.

An act for the benefit of the heirs of Lucy N. Fishback, and to authorize William R. Griffith to sell and convey certain lands.

An act for the benefit of the administratrix and heirs of John Hawkins, deceased.

An act respecting the town of Burlington.

An act for the benefit of Margaret Bogus.

An act for the benefit of Amelia Baber.

An act for the benefit of Elizabeth Hinds.

An act for the benefit of Eveline Adams.

An act for the benefit of Nicholas M. Ferguson and Harriet Ferguson.

An act for the benefit of Israel Rose.

An act for the benefit of Abigail Linney.

An act for the benefit of William A. Taylor.

And an act to incorporate the Owingsville, Sharpsburg and Paris road company.

On the motion of Mr. Guthrie, the committee of Courts of Justice was discharged from the further consideration of the resolutions moved by Mr. Smith on the 30th ultimo, in relation to providing for the pay of certain witnesses; and from the further consideration of the resolution moved by Mr. Southgate on the 31st ultimo, in relation to reducing into one the several acts concerning conveyances of lands; and from the duty of preparing and bringing in a bill to repeal all laws establishing and regulating circuit courts in this Commonwealth.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred the following bills, viz:

1. A bill further to regulate the settlement of the accounts of executors, administrators and guardians.

2. A bill to amend the charter of the Kentucky Baptist Education Society; and

3. A bill to amend an act, entitled, an act amendatory of the several acts, relating to the town of Newport, approved February 24, 1834, reported the same without amendment.

The question being taken on engrossing the first bill and reading it a third time, it was decided in the negative, and so the said bill was rejected.

The second and third bills were laid on the table.

Mr. Guthrie, from the committee of Courts of Justice, reported the following bills, viz:

A bill to incorporate the Lexington Fire, Life, and Marine Insurance Company; and

A bill to incorporate the McChord Church Session and Trustees.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Guthrie, from the same committee, to whom was referred a bill to increase the salaries of the circuit judges in this Commonwealth, reported the same without amendment.

The said bill is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all circuit judges in this Commonwealth, who shall be commissioned after the passage of this act, shall receive, instead of the compensation now allowed for their services, an annual salary of _____.

Mr. Guthrie moved to amend the said bill by striking out all after the enacting clause, and inserting in lieu thereof the following, viz:

That from and after the first day of April next, the salary of the circuit judges in this Commonwealth shall be twelve hundred and fifty dollars per annum, payable quarterly.

Mr. Smith moved to lay the said bill and amendment on the table until the first day of June next.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Smith and McHenry, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Coffey, Jessup, McHenry, May, Morehead, Murrell, Parker, Smith and Thornton—10.

NAYS—Messrs. Boyd, Bramlette, Bush, Carter, Daviess, Gilbert, Grider, Guthrie, Hanson, Harreld, James, Lusk, Metcalfe, Miller, Morgan, Patterson, Roberts, Southgate, Watkins, Woolley and S. Young—21.

The question was then taken on the adoption of the amendment moved by Mr. Guthrie, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. James and Morehead, were as follows, viz:

YEAS—Messrs. Daviess, Gilbert, Guthrie, James, McHenry, May, Morehead, Morgan, Roberts, Thornton and Watkins—11.

NAYS—MR. SPEAKER, Messrs. Boyd, Bramlette, Bush, Carter, Coffey, Grider, Hanson, Harreld, Lusk, Metcalfe, Miller, Murrell, Parker, Patterson, Smith, Southgate, Woolley and S. Young—19.

Mr. Daviess moved to fill the blank in the said bill with "twelve hundred and fifty dollars," as the annual salary of the circuit judges.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Roberts and Smith, were as follows, viz:

YEAS—Messrs. Boyd, Bramlette, Carter, Daviess, Grider, Guthrie, Hanson, Harreld, Metcalfe, Miller, Morgan, Watkins, Woolley and S. Young—14.

NAYS—MR. SPEAKER, Messrs. Bush, Coffey, Gilbert, James, Jessup, Lusk, McHenry, May, Morehead, Murrell, Parker, Patterson, Roberts, Smith, Southgate and Thornton—17.

Mr. Guthrie moved to fill the said blank with "twelve hundred dollars."

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Carter and Guthrie, were as follows, viz:

YEAS—Messrs. Boyd, Bramlette, Bush, Carter, Daviess, Grider, Guthrie, Hanson, Harreld, Metcalfe, Miller, Morgan, Watkins, Woolley and S. Young—15.

NAYS—MR. SPEAKER, Messrs. Coffey, Gilbert, James, Jessup, Lusk, McHenry, May, Morehead, Murrell, Parker, Patterson, Roberts, Smith, Southgate and Thornton—16.

On the motion of Mr. Guthrie, the said bill was laid on the table until the first day of June next.

Mr. James from the committee of Courts of Justice, to whom was referred a bill to protect the actual settlers west of the Tennessee river, reported the same with amendments, which were twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Daviess, the committee of Propositions and Grievances was discharged from the further consideration of the petition of sundry citizens of Hickman and McCracken counties praying for the formation of a new county out of a part of each of said counties, because there were no notices accompanying the said petition.

On the motion of Mr. James, leave was given to withdraw the said petition.

Mr. Bush, from the committee of Religion to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Mary Lightfoot; and

Mr. Miller, from the same committee, to whom was referred a

bill from the House of Representatives, entitled, an act for the benefit of Aaron Allison, reported the same without amendment.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Miller, from the committee of Religion, to whom was referred the petition of Nancy Clark, praying for a divorce from her husband, James Clark, reported the following resolution thereon, viz:

Resolved, That the said petition be rejected.

Which was twice read and concurred in.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill to incorporate the South Frankfort Bridge Company, reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Southgate, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the Stanford and Lancaster turnpike road company, reported the same with amendments, which were twice read and concurred in.

Ordered, That the said bill be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

The following bills were reported, viz:

By Mr. James, from the committee of Courts of Justice—A bill for the benefit of Jeremiah Dobson, and Aaron P. Hodges, of the county of Calloway; and

By Mr. Daviess, from the committee of Propositions and Grievances—A bill to establish an election precinct in Franklin county. Which bills were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with, and the same being engrossed.

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Guthrie having obtained leave, reported a bill to provide for the management of the Louisville Marine Hospital,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The Senate resumed the consideration of a bill from the House of Representatives, entitled, an act to change the present mode of summoning jurors in this Commonwealth, and to provide for their compensation.

The question being taken on the motion of Mr. Daviess, to lay the said bill on the table until the first day of June next, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Daviess and Parker, were as follows, viz:

YEAS—Messrs. Boyd, Bramlette, Daviess, Gilbert, Guthrie, Jessup, Lusk, Miller, Murrell, Smith, Thornton and Watkins—12.

NAYS—MR. SPEAKER, Messrs. Bush, Carter, Coffey, Grider, Hanson, Harreld, James, McHenry, May, Metcalfe, Morehead, Morgan, Parker, Patterson, Roberts, Sisk, Southgate, Woolley, A. Young and S. Young—21.

Mr. Jessup moved to commit the said bill with instructions to strike out in the ninth section, "fifty cents" and insert "one dollar," as the pay of petit jurors per day.

The question being taken thereon, it was decided in the affirmative.

Mr. Bush moved to re-consider the last vote.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and Lusk, were as follows, viz:

YEAS—Messrs. Bush, Carter, Hanson, Harreld, James, McDonald, McHenry, Metcalfe, Miller, Morgan, Parker, Roberts, Woolley, A. Young and S. Young—15.

NAYS—MR. SPEAKER, Messrs. Boyd, Bramlette, Coffey, Daviess, Gilbert, Grider, Guthrie, Jessup, Lusk, May, Morehead, Murrell, Patterson, Sisk, Smith, Southgate, Thornton and Watkins—19.

Mr. Daviess then moved that the further instructions be given to the committee to amend the said bill so that the law may take effect from and after the passage thereof.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Daviess and Parker, were as follows, viz:

YEAS—Messrs. Bramlette, Daviess, Gilbert, Lusk, Miller, Smith, Thornton and Watkins—8.

NAYS—MR. SPEAKER, Messrs. Boyd, Bush, Carter, Coffey, Grider, Guthrie, Hanson, Harreld, James, Jessup, McDonald, McHenry, May, Metcalfe, Morehead, Murrell, Parker, Patterson, Roberts, Sisk, Southgate, Willis, Woolley, A. Young and S. Young—26.

The said bill was referred to the committee of Finance with the instructions moved by Mr. Jessup.

Mr. Watkins, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act to incorporate the Eddyville Hotel Company.

An act to amend the charter of the Bardstown and Louisville turnpike company.

An act to establish the Mechanics' Savings Institution of Louisville, and the Savings Institution of Bardstown.

And had found the same truly enrolled.

That the said bills had been signed by the Speaker of the House of Representatives.

Whereupon, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Watkins reported that the committee had performed that duty.

On the motion of Mr. Daviess, leave was given to bring in a bill to authorize the clerk of the Woodford county court to record all deeds which were unrecorded in said office at the time of the late clerk's death.

The committee of Courts of Justice was directed to prepare and bring in the same.

Mr. Guthrie having obtained leave, reported a bill for the distribution of Morehead and Brown's digest, and H. Pirtle's digest.

Which was read the first time, and ordered to be read a second time.

It is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Secretary of State be, and he is hereby authorized to distribute, amongst the members of both Houses of the Legislature, a copy of Morehead and Brown's digest, and a copy of

H. Pirtle's digest of the decisions of the Court of Appeals, one copy of each, to each member of both Houses, and one copy of each to the clerk and assistant clerk of both Houses.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

The question being taken on the passage thereof, it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Woolley and Bramlette, were as follows, viz:

YEAS—Messrs. Boyd, Bramlette, Guthrie, Harreld, Metcalfe, Miller, Parker, Roberts, Southgate and Thornton—10.

NAYS—MR. SPEAKER, Messrs. Bush, Daviess, Gilbert, Hanson, James, Jessup, Lusk, McHenry, May, Morehead, Murrell, Smith, Woolley and S. Young—15.

A message was received from the House of Representatives, by Messrs. C. A. Wickliffe, Marshall and Lansdale, a committee of that House, announcing that they were directed to lay before the Senate, a report and resolution requiring the removal of Major I. Price, from the office of justice of the peace; adopted by that house, (two thirds voting for the same) together with the evidence upon which they acted.

Which report, resolution and evidence were referred to the committee of Courts of Justice.

A bill from the House of Representatives, entitled, an act to change the name of William McNutt to that of William Basye, was read a second time, and ordered to be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, viz:

1. An act respecting the town of Burlington.
2. An act for the benefit of William Tuggles' devisees and heirs.
3. An act for the purpose of building a bridge across Chaplin river, where the road from Harrodsburg to Springfield crosses the same.
4. An act concerning the roads west of the Tennessee river.
5. An act for the benefit of Greenup and Lewis counties.
6. An act to authorize the county courts of Jessamine, Woodford, Warren and Mercer counties, to sell their poor houses.
7. An act to provide for the building of a bridge across Chaplin river, and for other purposes.

8. An act to provide for the appointment of Patrollers in this Commonwealth.

9. An act for the benefit of Joseph Clarke, late sheriff of Franklin county.

10. An act further to regulate the Board of Internal Improvements, for the counties west of the Tennessee river.

11. An act for the benefit of Elizabeth Hinds.

Were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills, except the sixth, having been dispensed with, the first, second, fifth and eighth, were referred to the committee of Courts of Justice; the third, fourth, seventh and tenth, to the committee of Internal Improvements; the ninth, to the committee of Finance, and the eleventh, to the committee of Religion.

The rule of the Senate, constitutional provision, and second and third readings of the sixth bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A bill from the House of Representatives, entitled, an act to establish the county of Trimble, and for other purposes, was taken up for consideration; some time was spent thereon.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 24, 1836.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act to amend the charter of the city of Covington.

An act to incorporate a company to turnpike the road leading from Elizabethtown to Bardstown, and for other purposes.

An act to incorporate a company to construct a road from Cloverport to Hardinsburg.

An act to authorize a State road to be opened from Bloomfield, in Nelson county, to McCoun's ferry, in Mercer county.

An act to incorporate a company to construct a turnpike road from Elizabethtown to Greensburg, by way of Hodgenville and Summerville.

An act to incorporate the south-western Louisville turnpike road company.

And an act to incorporate a company to construct a turnpike road from Shelbyville, to a point of intersection with the contemplated Rail Road near Christiansburg, in Shelby county.

And that they had concurred in the amendments proposed by the Senate to bills from that House, of the following titles, viz:

An act to incorporate the Richmond and London turnpike road company.

And an act to amend an act, entitled, an act to incorporate the Winchester and Lexington turnpike company.

And that they had passed bills of the following titles, viz:

An act to incorporate the Louisville, Nashville and Knoxville Rail Road Company.

An act to incorporate a turnpike road company from the Poplar Plains in Fleming county, to Louisa, in Lawrence county.

And an act making an appropriation to build a bridge across Floyd's fork of Salt river, in Bullitt county.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, they were referred to the committee of Internal Improvements.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act respecting the town of Burlington; and

An act for the benefit of William Tuggles' devisees and heirs, reported the same without amendment.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Guthrie, from the same committee, reported a bill to authorize the clerk of the Woodford county court, to record all deeds which were not recorded in said office at the time of the death of the late clerk.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill, having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the committee of Finance, to whom was re-

ferred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of Joseph Clarke, late sheriff of Franklin county; and

An act for the benefit of James Ramey, reported the same with amendments to the latter bill, which were twice read and concurred in.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills, (the latter as amended,) do pass, and that the titles thereof be as aforesaid.

Mr. Woolley, from the committee of Internal Improvements, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the Versailles, Midway and Georgetown turnpike company, reported the same with amendments, which were twice read and concurred in.

Ordered, That the said bill be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, (as amended,) do pass, and that the title thereof be as aforesaid.

Mr. Metcalfe, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act further to regulate the Boards of Internal Improvements, for the counties west of the Tennessee river; and

An act concerning the roads west of the Tennessee river, reported the same without amendment, and they were referred to a committee of Messrs. James, Harreld and McDonald.

Mr. Miller, from the committee of Religion, to whom was referred the petition of Nancy Hill, praying a divorce from her husband, John T. Hill, reported the following resolution thereon, viz:

Resolved, That the said petition be rejected.

Which was twice read and concurred in.

The joint resolution read and laid on the table by Mr. McHenry on the 22nd instant, to appoint a joint committee to examine the surveys of the Kentucky river, made by the State Engineer, and for other purposes, was taken up, twice read, and adopted.

The resolutions expressive of the sentiments of the Legislature of Kentucky, as to the relations between France and the United States, read and laid on the table by Mr. Guthrie, on the 26th ultimo, were, on the motion of Mr. Guthrie, laid on the table.

Mr. Gilbert moved to re-consider the vote rejecting a bill, enti-

tled, an act for the distribution of Morehead and Brown's digest and H. Pirtle's digest.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Woolley and Parker, were as follows, viz:

YEAS—Messrs. Boyd, Bramlette, Bush, Coffey, Gilbert, Guthrie, Harreld, McDonald, McHenry, Metcalfe, Miller, Morgan, Parker, Patterson, Roberts, Sisk, Southgate, Thornton, Watkins, Willis and A. Young—21.

NAYS—MR. SPEAKER, Messrs. Daviess, Hanson, James, Jessup, Lusk, May, Morehead, Smith, Woolley and S. Young—11.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. James having obtained leave, reported a bill changing the time of electing trustees for the town of Paducah,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, to-wit:

1. An act to incorporate the Georgetown accommodation company.
2. An act for the benefit of the heirs of Lucy N. Fishback, and to authorize William R. Griffith to sell and convey certain lands.
3. An act for the benefit of the administratrix and heirs of John Hawkins, deceased.
4. An act allowing Samuel Graves a change of venue.
5. An act for the benefit of Stephen Peyton's heirs, and others.
6. An act for the benefit of the administrator and heirs of Joseph L. McGee, deceased.
7. An act for the benefit of Margaret Bogus.
8. An act for the benefit of Amelia Baber.
9. An act for the benefit of Eveline Adams.
10. An act for the benefit of Nicholas M. Furguson and Harriet Furguson.
11. An act for the benefit of Israel Rose.
12. An act for the benefit of Abigail Linney.
13. An act for the benefit of William A. Taylor; and
14. An act to incorporate the Owingsville, Sharpsburg and Paris turnpike road company.

Were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills, except the first, having been dispensed with, the second, third, fourth, fifth, sixth and seventh, were referred to the committee of Courts of Justice; the eighth and tenth, to the committee of Religion; the ninth, eleventh, twelfth and thirteenth, to the committee of Propositions and Grievances; and the fourteenth, to the committee of Internal Improvements.

The rule of the Senate, constitutional provision, and second and third readings of the first bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A message in writing was received from the Lieutenant and acting Governor, by Mr. Cox, assistant Secretary of State.

The Senate resumed the consideration of a bill from the House of Representatives, entitled, an act to establish the county of Trimble, and for other purposes.

The said bill is as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That from and after the first day of April, one thousand eight hundred and thirty-six, that part of the counties of Gallatin, Henry and Oldham, contained in the following bounds, to wit: Beginning on the Ohio river at the mouth of the Big Kentucky river; thence down the Ohio river to the mouth of Patton's creek, thence up said creek, with a continuation of a line a general course thereof to the Tavern house, known as Rucker's tavern, so as to include said house, thence a straight line through the county of Henry to the house of the widow Mullikin, (on the road leading from Bedford to New Castle) so as to leave the said house in the county of Shelby, thence a straight line by the house of Lockhart on the road from New Castle to Port William to where the county line between the counties of Henry and Gallatin crosses the South fork of Mill creek, thence with the said county line to the Big Kentucky river, thence down and with the said river to its mouth and to the beginning, shall be and is hereby created into one distinct county, to be known and called by the name of Trimble, and that the seat of justice thereof be, and the same is hereby established at Bedford.

SEC. 2. *Be it further enacted*, That the county of Trimble shall be entitled to ten Justices of the Peace, who after having been commissioned, shall, on the second Monday in April, one thousand eight hundred and thirty-six, meet at such house as they may procure in the town of Bedford, and after the necessary oaths of office, and qualifying their

Sheriff, they shall proceed to appoint a Clerk, to whose permanent appointment a majority of all the Justices in commission in and for said county of Trimble shall concur; but if such majority cannot be had in any one, then it shall be the duty of said court to appoint one pro tem. until a majority of said court shall concur in said appointment.

SEC. 3. *Be it further enacted*, That the county courts of the counties of Henry, Gallatin and Oldham, and the Justices of the Peace of said counties, shall have jurisdiction in law and equity in all cases instituted in their respective courts before this act takes effect.

SEC. 4. *Be it further enacted*, That it shall be lawful for the Sheriffs, Constables, and Collectors, in the several counties of Gallatin, Oldham and Henry, to collect all monies and execute all process, as the law directs, which may be in their hands at the time this act takes effect, and account for the same according to law.

SEC. 5. *Be it further enacted*, That the county court of Trimble county shall appoint commissioners of tax for the year one thousand eight hundred and thirty-six, who shall be governed by the laws which may be in force on that subject.

SEC. 6. *Be it further enacted*, That it shall be lawful for the Trustees for the town of Bedford for the time being to convey to the county court of said county of Trimble the public ground in said town for the erection of the necessary public buildings thereon.

SEC. 7. *Be it further enacted*, That the county court of Trimble, a majority of all the members concurring, shall proceed, as soon as practicable, to fix their county levy, and to raise by taxation a sum sufficient to defray the expenses of erecting the public buildings as aforesaid: *Provided, however*, That the said county court shall not go beyond a sum sufficient to defray the expense of said building, having first included the sum of eighteen hundred dollars which has been subscribed by individuals, to be applied towards the erection of the public buildings in said town of Bedford.

SEC. 8. *Be it further enacted*, That the county of Trimble, shall be allowed six Constables, to be appointed by the county court, a majority of all the Justices being present, who shall at the same time lay off said county into districts, as the law now requires in other counties in this Commonwealth; and that the qualified voters in the county of Trimble, shall vote at all elections for Senators, Representatives and all other officers which are now elected by the people, in the same manner as though the county had not been established; and the sheriff of Trimble county shall meet and compare the votes at such times and places as are now provided for by law, regulating elections in this Commonwealth, as if the county of Trimble had not been formed.

SEC. 9. *Be it further enacted*, That the annual election in said county of Trimble, shall be holden in the town of Bedford at such house as a majority of all the members of the county court for said county may deem proper to designate, and at the Corn creek precinct in Gallatin county, and also at the Mill creek precinct in Gallatin county.

SEC. 10. *Be it further enacted*, That the Sheriffs of the several counties of which said county of Trimble is formed, and the collectors of the county levy for said counties, shall have power and authority to collect the county levy and revenue tax for the present within the bounds of Trimble county, and account for the same in the same manner as though the said county had not been established.

SEC. 11. *Be it further enacted*, That Charles T. Chilton and Silas M. Hunt of Henry county, and Robert English of Oldham county, be, and they are hereby appointed to mark and survey the lines of the county of Trimble, which divide the same from the counties of Henry and Oldham, who shall plainly mark the same, and when so marked all officers shall be governed thereby; said commissioners shall be allowed to employ such aid as shall to them seem necessary to complete said demarcation, and shall be allowed the sum of two dollars per day each, for the time they may be engaged in such business, to be paid out of the county levy of Trimble county.

SEC. 12. *Be it further enacted*, That all that part of the counties of Boone and Grant, embraced in the following boundaries, to wit: Beginning at the mouth of Bone Lick creek on the banks of the Ohio river, thence up said creek to the mouth of the South fork of Mud Lick creek, thence up said fork to Thomas Brand's, leaving him in Boone, to the widow Hughes' old place, where the Louisville and Cincinnati road crosses said creek, thence a straight line to John Canedy's, leaving the said Canedy in Boone county, thence a continuation of the said line to the Grant county line, thence a straight line to Ten Mile creek, thence down and with said creek to its mouth, thence down and with Eagle creek to its mouth to the Big Kentucky river, thence down and with the said Kentucky river to its mouth to the Ohio river, thence up the river Ohio to the beginning, be and the same is hereby added to the county of Gallatin.

SEC. 13. *Be it further enacted*, That the several Sheriffs and Constables of the said counties of Boone and Grant shall have full power and authority to serve all process and to collect all monies, which may be in their hands at the time this act shall take effect, in the same manner as if this law had not been passed.

SEC. 14. *Be it further enacted*, That so soon as the citizens of the

town of Warsaw and its vicinity shall have erected and completed a court-house on the public ground in the *town of Warsaw*, and that George Roberts of the county of Owen, Jeremiah Kirtley, and Cornelius Hughes of Boone county, any two of whom can act, may have received the said house, whose duty it shall be to report to the county court of Gallatin county as commissioners aforesaid.

SEC. 15. *Be it further enacted*, That the said county court of Gallatin, upon the reception of said report, signed by any two of said commissioners, shall cease to hold court in the town of Port William, but shall forthwith proceed to hold court in the court house in the town of Warsaw, and that the clerks for the circuit and county courts, together with all other officers in said county, shall proceed to remove all the books, papers and effects appertaining to their respective offices to the town of Warsaw, at which place or town the seat of justice for Gallatin county shall be permanently established.

SEC. 16. *Be it further enacted*, That the courts for the circuit and county of Gallatin, shall be holden in the town of Warsaw on the same days now fixed by law for the meeting of said courts in Port William.

On the motion of Mr. Bush, the said bill was amended, by inserting after the words "town of Warsaw," in the 14th section, printed in italics, these words, "of such materials and dimensions, and on such plan, as the Gallatin county court shall prescribe."

And by adding to the 15th section the following proviso, viz:

Provided, however, That the seat of justice of said county, shall not be removed to Warsaw, until said justices shall be satisfied that said court house conforms in its plan, dimensions and materials to the requisitions of said court, and until the title of said court house and public square shall be conveyed to said justices of the county court of Gallatin, by a deed, to be approved of by said court, and vesting said title in said justices and their successors.

The question was then taken on reading the said bill a third time, as amended, and it was decided in the negative, and so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. Willis and Morehead, were as follows, viz:

YEAS—MR. SPEAKER, MESSRS. Bramlette, Bush, Carter, Coffey, Gilbert, Hanson, Harreld, May, Metcalfe, Morgan, Patterson, Roberts, Sisk, Willis and A. Young—16.

NAYS—Messrs. Allen, Boyd, Daviess, Grider, Guthrie, James, Jessup, Lusk, McHenry, Miller, Morehead, Murrell, Parker, Smith, Southgate, Thornton, Watkins, Woolley and S. Young—19.

Mr. Murrell, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act to improve the roads in Monroe, Allen, Cumberland, Wayne and Whitley counties.

An act for the benefit of William Rogerson, jailer of Spencer county.

An act to allow an additional justice of the peace to the county of Scott, and for other purposes.

An act for the benefit of Nancy Halliard.

An act to allow an additional constable to the county of Hancock.

An act to amend an act to improve the navigation of Muddy river.

An act to enlarge the constable's district of the town of Monticello.

An act for the benefit of John Chesney.

An act to amend an act to establish an inspection of Tobacco and other articles of commerce, in the town of Paducah.

An act to establish an election precinct at Farmington in Lincoln county; and for other purposes.

And an act for the benefit of Malinda R. Devers.

And had found the same truly enrolled.

The said bills had been signed by the Speaker of the House of Representatives.

Whereupon, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

Mr. Morehead read and laid on the table the following resolutions, viz:

Whereas, a large portion of the citizens of this State, residing in the counties bordering on the Tennessee line, and near that part of the Cumberland river, which is below the town of Clarksville, and without the limits of this State, are dependent upon the navigation of that river, for the means of shipping their staple productions to the southern markets: *And whereas*, There are great impediments to the navigation of the river below the town of Clarksville, that are capable of being removed, and which are without the jurisdiction of this State: therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor of this Commonwealth be requested to open a correspondence with the Governor of the State of Tennessee, inviting him to unite in causing the necessary examinations and estimates of the probable costs, to be made, for the improvement of the navigation of the Cumberland river, from Clarksville to its junction with the Ohio river.

Be it further resolved, That if the Governor of Tennessee should accede to the proposal, that the Governor of this Commonwealth shall have power to require of the Board of Internal Improvement to furnish one of their Assistant Engineers, to be associated with any person that may be authorized on the part of the State of Tennessee, for the purpose of making the proposed survey and estimates.

Be it further resolved, That the Governor be requested to lay before the next Legislature the result of his action under the authority of the above resolutions.

And then the Senate adjourned.

THURSDAY, FEBRUARY 25, 1836.

Messrs. Bramlette and Morehead were added to committee of Enrolments.

Mr. Murrell, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act for the divorce of Eliza Brown.

An act for the benefit of Lucy Stears.

An act for the benefit of William Parker and John Hall.

An act for the benefit of James McDowell, Jr. of Rockbridge county, Virginia.

An act to incorporate the Fleming White Sulphur Springs Hotel Company.

An act to establish the College of Physicians of the city of Lexington.

An act for the benefit of William Green, of Harlan county.

An act to legalize the proceedings of the Franklin county court, at their February term, 1836.

An act to enlarge the constable's district of the town of Greensburg.

An act to enlarge the boundary of the town of Glasgow.

An act to amend an act to incorporate the Newport, Falmouth, Cynthia, Paris and Winchester turnpike road company.

An act for the benefit of Nathaniel Reynolds.

An act for the benefit of J. B. Husbands, county surveyor of McCracken county.

An act concerning the laying and collecting the county levy of Fayette.

An act for the benefit of the surveyor of Jefferson county.

An act to amend an act, entitled, an act further regulating the Wilderness turnpike road, approved 11th January, 1830.

An act to incorporate the Maysville Hotel Company.

And had found the same truly enrolled.

That the said bills had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed that duty.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of Greenup and Lewis counties.

An act to reduce the number of justices of the peace in Bullitt county.

An act for the benefit of Margaret Bogus; and

An act to provide for the appointment of Patrollers in this Commonwealth, reported the same with an amendment to the latter bill, which was twice read and concurred in.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills, (the latter as amended,) do pass, and that the titles thereof be as aforesaid.

Mr. Harreld, from the committee of Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of William A. Taylor,

Reported the same with the opinion of the committee that it ought not to pass.

The question being taken on reading the said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. Daviess, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Eveline Adams,

Reported the same with the opinion of the committee that it ought not to pass.

The question being taken on reading the said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. Daviess, from the same committee to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Abigail Linney, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Daviess, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, and the amendments of the Senate thereto, viz:

An act to establish the town of Farmington, in Lincoln county, and for other purposes.

And an act to allow an additional justice of the peace to Lincoln county, and for other purposes,

Reported the same with the opinion of the committee, that the Senate ought to insist on their amendments.

Mr. Coffey moved that the Senate recede from the said amendments.

The question being taken thereon, it was decided in the negative, and so the Senate insisted on the said amendments.

Mr. Watkins, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act appointing commissioners to locate the way for a road from near the farm of David Davis, in Lawrence county, to the State road in Greenup county.

An act to establish a State road from Lynn's old ferry across the Ohio river, in the county of Livingston, to Princeton in Caldwell county, and for other purposes.

An act to incorporate the Glasgow and Scottville turnpike road company.

An act for the benefit of the sheriff of Bullitt county.

An act for the benefit of Elizabeth Pugh.

An act to incorporate the Mill's point Warehouse Company.

An act to establish a State road from the mouth of Troublesome Creek, to the Sounding Gap of the Cumberland Mountain.

An act to incorporate the Clarke and Madison turnpike road company.

An act to incorporate the Canton, Cadiz and Hopkinsville turnpike road company.

An act to incorporate a company to make a turnpike road from Perryville to Greensburg, by way of Lebanon and New Market.

An act to incorporate the Russellville and Clarkesville Rail Road Company.

And had found the same truly enrolled.

That the said bills had been signed by the Speaker of the House of Representatives.

Whereupon, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented

to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Watkins reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act to repeal in part an act amendatory of the several acts relating to the town of Newport in Campbell county, approved 24th February 1834, and also amendatory thereof; and

An act defining the powers and duties of the Board of Internal Improvements, and for other purposes, with amendments to the latter bill.

And that they had passed bills of the following titles, viz:

1. An act to incorporate the Taylorsville and Harrodsburg turnpike road company, and for other purposes.

2. An act to incorporate the Dover and Minerva turnpike road company.

3. An act to incorporate the Princeton and Ohio turnpike road company, and for other purposes.

4. An act to incorporate the Clarke and Madison Bridge Company.

5. An act to alter the tax on wholesale and retail stores and groceries; and

6. An act for building a bridge across Russell's creek in Adair county.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, they were referred to the committee of Internal Improvements, except the fifth, and it was referred to the committee of Courts of Justice.

A message was received from the House of Representatives, announcing that they had concurred in the resolution from the Senate, to appoint a joint committee to examine the surveys of the Kentucky river, made by the State Engineer, and for other purposes.

Whereupon, Messrs. McHenry, Daviess, Lusk, Miller and Hanson, were appointed a committee on the part of the Senate, pursuant thereto.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill entitled, an act to appoint commissioners to make certain improvements in the navigation of Green river, and the amendments proposed thereto by the House of Representatives, reported the same with the opinion of the committee, that

the said amendments be concurred in, with certain amendments; one of the said amendments proposes to add to the amendments of the House, the following sections, viz:

SEC. 1. *Be it further enacted*, That none of the provisions of this act, except so much thereof as relate to *Rough creek* and Muddy river, shall operate or have any effect whatever, until the proposed plan of improvement, with the estimated cost thereof, shall have been submitted to the Board of Internal Improvement, by their engineer appointed for that purpose, and by them approved as beneficial to the public.

SEC. 2. *Be it further enacted*, That should the aforesaid plan of improvement be disapproved by the Board, the said Board may nevertheless, if in their opinion the public interest will be promoted by the contemplated improvement, proceed upon such plan as they may think advisable, to execute the same, or any part thereof; for which purpose they are hereby authorized to apply an amount, not exceeding the several sums herein specified, to the objects respectively named, and it shall be the duty of said Board to proceed in the execution of so much of the provisions of this act, as shall be deemed expedient for the removal of the obstacles to the navigation of such of the streams as empty into Green river, before the dams are completed on said river, or so advanced as to prevent by back-water the execution of the proposed work.

Mr. Willis moved to amend the first section of said amendment, by inserting after "*Rough creek*," printed in italics, "Green river."

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Willis and James, were as follows, viz:

YEAS—Messrs. Bramlette, Coffey, Gilbert, James, McHenry, Morehead, Sisk, Smith, Watkins and Willis—10.

NAYS—MR. SPEAKER, Messrs. Boyd, Daviess, Grider, Guthrie, Hanson, Harreld, Jessup, May, Metcalfe, Miller, Murrell, Parker, Patterson, Southgate, Thornton, Woolley and S. Young—18.

The question being taken on the adoption of the said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Willis and Morehead, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Daviess, Gilbert, Grider, Guthrie, Hanson, Harreld, Metcalfe, Miller, Murrell, Parker, Patterson, Smith, Southgate, Thornton, Woolley, A. Young and S. Young—19.

NAYS—Messrs. Bramlette, Coffey, James, Jessup, Lusk, McHenry, May, Morehead, Sisk, Watkins and Willis—11.

The said amendments proposed by the House of Representatives, were then concurred in with amendments.

Leave having been given, the following bills were reported, viz:

By Mr. Daviess—1. A bill to legalize the appointment of an agent to wind up the concerns of the late Farmer's Bank of Harrodsburg.

By Mr. Hanson—2. A bill concerning the Estill seminary; and

By Mr. Willis—3. A bill for the benefit of Richard Hazle.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the first and second bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

The rule of the Senate, constitutional provision and second reading of the third bill having been dispensed with, it was referred to the committee of Finance.

The resolutions in relation to the navigation of Cumberland river below Clarksville, read and laid on the table by Mr. Morehead on yesterday, were taken up, twice read, and concurred in.

Mr. Woolley, from the committee of Education to whom was referred a bill from the House of Representatives, entitled, an act incorporating the Bardstown Female Academy, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The message in writing received from the Lieutenant and acting Governor on yesterday, was taken up and read, as follows, viz:

Gentlemen of the Senate:

I nominate for your advice and consent, Frank Ballinger, to be Judge of the 15th Judicial District, in place of Joseph Eve, resigned.

Thomas Y. Payne, to be Attorney for the the Commonwealth in the first Judicial District, in place of T. Ward, appointed Clerk of the Greenup Circuit Court.

Richard Pindell, to be Attorney for the Commonwealth in the third Judicial District, in place of James O. Harrison, resigned.

John Joyes, to be Judge of "the city Court of Louisville."

Francis T. Taylor, to be Surveyor of the lands set apart for the

officers and soldiers of the Virginia State line, in place of Richard Taylor, Jr. deceased.

JAMES T. MOREHEAD.

February 24th, 1836.

Resolved, That the Senate advise and consent to the said appointments, except to that of Francis T. Taylor, to be Surveyor of the lands set apart for the officers and soldiers of the Virginia State line in the place of Richard Taylor, Jr. deceased.

Ordered, That Mr. Parker inform the Lieutenant and acting Governor thereof.

The said nomination of Francis T. Taylor was referred to the committee of Courts of Justice.

The amendments proposed by the House of Representatives, to a bill from the Senate, entitled, an act defining the powers and duties of the Board of Internal Improvements, were twice read.

One of the said amendments proposes to strike out the second section of the bill, and to insert in lieu thereof the following, viz:

That the said Board shall have power, for the present year, to employ an Engineer, whose salary shall not exceed the sum of one thousand eight hundred dollars, and any number of assistants not exceeding six, whose compensation shall not exceed at the rate of one thousand four hundred dollars *per annum each*; and from and after the end of the present year, there shall be appointed by the Governor, by and with the consent of the Senate, for three years, one State Engineer, who shall be paid an annual salary of three thousand dollars, who shall keep his office at the Seat of Government, and who shall execute the orders of the Board, and have a general superintendence of the engineer service, upon works in which the State is, or may be interested, and report to the Board from time to time, the result of his labors and examinations. He shall, with the approbation of the Board, appoint his own assistants, not exceeding four, whose compensation shall not exceed at the rate of fourteen hundred dollars each per annum.

Mr. Guthrie moved to amend the said amendment by inserting after the words "per annum each," printed in italics, these words, viz:

"*Provided*, That the said Board may increase the compensation to the Principal and Assistant Engineers, in all not exceeding fourteen hundred dollars, if they shall find it absolutely necessary, in order to procure the services of competent and efficient Engineers; and should they increase the compensation under this provision, they shall not employ more than five assistants."

The question was then taken on the adoption of the said amendment moved by Mr. Guthrie, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Willis and Guthrie, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Daviess, Gilbert, Grider, Guthrie, Hanson, Harreld, McHenry, May, Metcalfe, Miller, Morehead, Morgan, Murrell, Parker, Smith, Southgate, Thornton, Watkins, Woolley, A. Young and S. Young—23.

NAYS—Messrs. Coffey, James, Jessup, Sisk and Willis—5.

The said amendment was then concurred in.

The third section of the said bill is as follows, viz.

SEC. 3. That so much of the first section of the act entitled, an act for the Internal Improvement of the State of Kentucky, as provides that the Governor for the time being shall be, *ex officio*, a member of the Board of Internal Improvements, shall be, and the same is hereby repealed. And that hereafter the said Board shall consist of a President and three members, to be appointed by the Governor, annually, by and with the advice and consent of the Senate: and it shall be the duty of the Governor, in selecting the aforesaid Board, to appoint one from each of the great sections of the State, three of whom shall concur in all the objects selected for improvement, as well as subscribing on the part of the State to said work, or any other investment of the said Internal Improvement Fund. Said President shall receive for his services the sum of _____ dollars annually, payable quarterly out of the Public Treasury. The other members of said Board, shall be compensated in the manner provided for by the said act.

One of the amendments of the House of Representatives, proposes to fill the said blank with "one thousand."

Mr. Guthrie moved to amend the said amendment by adding after "one thousand," the words "two hundred."

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Willis and Parker, were as follows, viz:

YEAS—Messrs. Daviess, Gilbert, Grider, Guthrie, Hanson, May, Metcalfe, Morgan, Thornton, Watkins, Woolley and S. Young—12.

NAYS—MR. SPEAKER, Messrs. Boyd, Coffey, Harreld, James, Jessup, McHenry, Miller, Morehead, Murrell, Parker, Roberts, Sisk, Smith, Southgate, Willis and A. Young—17.

One of the amendments proposes to amend the 31st section of the said bill so as to read as follows, viz:

SEC. 31. That a sum not exceeding forty thousand dollars, be appropriated to the improvement of Rockcastle river, from its mouth upwards, under the direction of the Board of Internal Improvement; or said sum shall be subscribed as stock on the part of the State, in the Crab Orchard and Cumberland Gap turnpike

company, or *Richmond and London turnpike road company*, whichever said Board may, in their discretion, judge best for the interest of the State: *Provided*, That the Board of Internal Improvement shall believe either of said improvements expedient, and of sufficient public importance.

Mr. Smith moved to amend the said amendment by striking out the words "or *Richmond and London turnpike company*," printed in italics.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Gilbert and Miller, were as follows, viz:

YEAS—Messrs. Boyd, Coffey, Daviess, Guthrie, Harreld, James, Jessup, Lusk, McHenry, May, Metcalfe, Morehead, Murrell, Sisk, Smith, Southgate, Willis and S. Young—18.

NAYS—MR. SPEAKER, Messrs. Gilbert, Grider, Hanson, Miller, Parker, Thornton, Woolley and A. Young—9.

The said amendments proposed by the House of Representatives, were then concurred in, with amendments.

Mr. Morehead, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act for the benefit of the clerk of Calloway county court, and for other purposes.

An act for the benefit of Maria D. Ewell and others.

An act to amend an act entitled, an act authorizing the sale of a portion of the real estate of Samuel Blankenbecker, dec'd. to pay his debts, approved February 14th, 1835.

An act for the benefit of the county court clerk of Scott county, and for other purposes.

An act to authorize certain records &c. of the Wayne and Nicholas county courts to be transcribed.

An act for the benefit of Mary P. Clark; and

An act for the benefit of Euphemia L. Schooler.

And had found the same truly enrolled.

That the said bills had been signed by the Speaker of the House of Representatives.

Whereupon, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Morehead reported that the committee had performed that duty.

A bill from the House of Representatives, entitled, act to change the Maysville election precinct, and for other purposes,

Was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Propositions and Grievances.

Mr. Hanson, from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled, an act to change the present mode of summoning jurors in this Commonwealth, and to provide for their compensation, reported the same in pursuance to the instructions of the Senate, with the following amendments, viz:

Strike out "fifty cents" in the ninth section of the bill, being the compensation per day for each petit juror, and insert in lieu thereof "one dollar."

The question being taken on concurring in the said amendment, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Hanson and Parker, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Daviess, Gilbert, Grider, Guthrie, Jessup, Lusk, McHenry, May, Morehead, Murrell, Sisk, Smith, Thornton, Watkins and Willis—17.

NAYS—Messrs. Bramlette, Carter, Coffey, Hanson, Harreld, James, Metcalfe, Miller, Morgan, Parker, Roberts, Southgate, Woolley, A. Young and S. Young—15.

Mr. Carter moved to lay the said bill on the table until the first day of June next.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Carter and Daviess, were as follows, viz:

YEAS—Messrs. Boyd, Bramlette, Carter, Daviess, Guthrie, Lusk, Miller, Murrell, Smith, Watkins and Woolley—11.

NAYS—MR. SPEAKER, Messrs. Coffey, Gilbert, Grider, Hanson, Harreld, James, Jessup, McHenry, May, Metcalfe, Morehead, Morgan, Parker, Roberts, Sisk, Southgate, Thornton, Willis, A. Young and S. Young—21.

The question was then taken on reading the said bill a third time, (as amended,) and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Daviess and Lusk, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Carter, Coffey, Gilbert, Grider, Hanson, Harreld, James, Jessup, McHenry, May, Metcalfe, Miller, Morehead, Morgan, Parker, Patterson, Roberts, Sisk, Southgate, Thornton, Willis, A. Young and S. Young—24.

NAYS—Messrs. Boyd, Bramlette, Daviess, Guthrie, Lusk, Murrell, Smith, Watkins and Woolley—9.

Mr. Coffey, from the committee appointed for that purpose, reported a bill for the improvement of the road from Stanford to Columbia,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Internal Improvements.

And then the Senate adjourned.

FRIDAY, FEBRUARY 26, 1836.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act to fix the ratio and apportion the representation for the ensuing four years.

An act to provide a sinking fund for the payment of the interest on loans for internal improvements, and for the final redemption of the principal of said loans.

An act to incorporate a college in Shelbyville, Shelby county.

An act for the benefit of the heirs of John Fouch.

An act appointing a commissioner to make conveyances in certain cases.

An act to amend the law of bail in civil cases; and

An act for the benefit of the county of Jefferson.

With amendments to the latter bill, which were twice read and concurred in.

And that they had passed bills of the following titles, viz:

An act for the benefit of the Robertson Seminary.

An act for the benefit of the legal department of Transylvania University.

An act to incorporate the owners of the Mansion House Hotel, in the town of Frankfort, and the Phoenix Hotel in Lexington.

An act regulating the time of holding the county court of Livingston county; and

An act allowing Lewis Adams a change of venue.

The said bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to alter the tax on wholesale and retail stores and groceries.

An act for the relief of the heirs of Lucy N. Fishback, and to authorize William R. Griffith to sell and convey certain lands.

An act for the benefit of Stephen Peyton's heirs, and others.

An act for the benefit of the administratrix and heirs of John Hawkins, deceased.

An act for the benefit of the administrator and heirs of Joseph L. McKee, deceased; and

An act allowing Samuel Graves a change of venue.

Reported the same without amendment.

The first bill was amended.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bills having been dispensed with,

Resolved, That the said bills, (the first as amended,) do pass, and that the titles thereof be as aforesaid.

Mr. Guthrie, from the same committee, to whom was referred the nomination of Francis T. Taylor, to be surveyor of the lands set apart for the officers and soldiers of the Virginia State line, in place of Richard Taylor, Jr. deceased, reported the following resolution thereon, viz:

Resolved, That the Senate advise and consent to the said appointment.

Which was twice read and concurred in.

Ordered, That Mr. James inform the Lieutenant and acting Governor thereof.

Mr. Guthrie, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to amend the attachment law.

And an act to amend the penal laws.

And the following bills which originated in the Senate, viz:

A bill to regulate the practice of Physic and Surgery in the State of Kentucky.

And a bill for the benefit of James Cowen and Samuel Cowen, reported the same without amendment.

The three first named bills were laid on the table.

The question being taken on engrossing the last bill, and ordering it to be read a third time, it was decided in the negative, and so the said bill was rejected.

Mr. Guthrie, from the same committee, to whom was referred the petition of the trustees and devisees of John M. Reading, to them referred, reported the following resolution thereon, viz:

Resolved, That the said petition *be rejected*.

Which was twice read and concurred in.

Mr. Guthrie, from the same committee, to whom was referred a bill to amend the laws against unlawful gaming, reported the same without amendment.

The said bill is as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall not be lawful for any person or persons to import, or cause to be imported, to sell, or cause to be sold, to manufacture, or cause to be manufactured, or to possess, or use, within this Commonwealth, any playing cards, such as are now used, or such as may be devised or manufactured, on or with which games of chance can or may be played; and each and every person offending against or violating this provision in any particular, shall be fined fifty dollars and costs, recoverable by debt or account, in the name of the Commonwealth, before any justice of the peace, or court having jurisdiction of such amounts; and at the instance of any person requiring the process, the party shall have the right of trial by jury, and an appeal from the judgment of a justice of the peace as in other similar cases; and any slave offending against, or violating this provision, in any particular, shall receive not less than ten nor more than thirty lashes, by order of a justice of the peace, or the judge of any police court.

SEC. 2. That it shall not be lawful for any person or persons, who shall be engaged in the importation, sale or manufacture of playing cards, nor shall it be lawful for any tavern keeper, or the keeper of any licensed public house, who shall suffer or permit card playing, or unlawful gaming in his house, nor of the master or owner of any steam boat or other vessel navigating the Ohio, or other rivers of this Commonwealth, who suffer or permit card playing or other unlawful gaming on board their vessel, within the limits of Kentucky, to maintain any suit or action in the courts of this Commonwealth, and a plea stating the facts of a violation of this law shall be a sufficient answer to the action.

SEC. 3. That any person or persons who shall bet at faro, or keep a faro bank, or other gaming table or bank, at which games of chance are played, shall be deemed a vagrant, and the laws in force against vagrants shall, in all cases, apply to such persons; and proof of dealing at faro, or keeping a faro or other gaming table, at which games of chance can or may be played, whether within or without the State, shall be evidence of vagrancy.

SEC. 4. That any person or persons who are or may be addicted to card playing or other unlawful gaming, shall be held to be persons of evil fame, and it shall be lawful for any justice of the peace, or other judicial officer of the State, to cause such persons to be held to bail for their good behaviour for a year and a day,

and also conditioned not to play cards or to practice unlawful gaming, and to issue a warrant for their apprehension at the instance of any one who shall make oath to the fact.

SEC. 5. This act shall commence and be in force from and after the ——— day of ——— next.

Mr. Guthrie moved to amend the said bill by striking out all except the first and last sections.

Mr. Roberts moved to lay the said bill on the table until the first day of June next.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Roberts and Carter, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Bramlette, Carter, Coffey, Gilbert, Hanson, Harreld, Jessup, McHenry, May, Metcalfe, Morehead, Parker, Patterson, Roberts, Sisk, Willis and A. Young—18.

NAYS—Messrs. Boyd, Daviess, Guthrie, James, Lusk, McDonald, Miller, Smith, Southgate, Thornton and Woolley—11.

Mr. Guthrie, from the same committee, reported a bill concerning the Treasurer's and Auditor's offices;

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Guthrie, the committee of Courts of Justice were discharged from the further consideration of all the business referred to them, except the report and resolution from the House of Representatives, requiring the removal of Major I. Price, from the office of justice of the peace.

Mr. Daviess, from the committee of Propositions and Grievances, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to change the Maysville election precinct, and for other purposes; and

An act for the benefit of Israel Rose, reported the same with an amendment to the former bill, which was twice read and concurred in.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading having been dispensed with,

Resolved, That the said bills, (the former as amended,) do pass, and that the titles thereof be as aforesaid.

Mr. Harreld, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Elizabeth Hinds, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Miller, from the committee of Religion, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Amelia Baber, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Miller, the committee of Religion were discharged from the further consideration of all business referred to them.

A message was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State, announcing that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to establish the Mechanics' Savings Institution of Louisville, and the Savings Institution of Bardstown.

An act to amend the charter of the Bardstown and Louisville turnpike company.

An act to incorporate the Eddyville Hotel Company.

An act to incorporate the Fleming White Sulphur Springs Hotel Company.

An act for the benefit of James McDowell, Jr. of Rockbridge county, Virginia.

An act for the benefit of William Parker and John Hall.

An act for the divorce of Eliza Brown.

An act for the benefit of Lucy Stears.

An act for the benefit of William Green, of Harlan county.

An act to establish the College of Physicians of the city of Lexington.

An act to enlarge the constable's district of the town of Greensburg.

An act to legalize the proceedings of the Franklin county court, at their February term, 1836.

An act to amend an act, entitled, an act further regulating the Wilderness turnpike road, approved 11th January, 1830.

An act to amend an act to incorporate the Newport, Falmouth, Cynthiana, Paris and Winchester turnpike road company.

An act to enlarge the boundary of the town of Glasgow.

An act for the benefit of J. B. Husbands, county surveyor of McCracken county.

An act for the benefit of Nathaniel Reynolds.

An act for the benefit of the surveyor of Jefferson county.

An act concerning the laying and collecting the county levy of Fayette.

An act to incorporate the Maysville Hotel Company.

Approved 25th February, 1836.

A message in writing was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State.

The rule of the Senate having been dispensed with, the said message was taken up, and read as follows, viz:

Gentlemen of the Senate:

I nominate, for your advice and consent, William Davis, John Wade, John Noland, Robert Cross, Sr. Daniel L. Myers, John Irwin, George C. Craft, to be commissioned Justices of the Peace, for the county of Clinton.

Jesse Noland, to be Sheriff of Clinton county.

Benjamin Keiser, to be Notary Public of the county of Fayette.

J. T. MOREHEAD.

February 26, 1836.

Resolved, That the Senate advise and consent to the said appointments.

Ordered, That Mr. Bramlette inform the Lieutenant and acting Governor thereof.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to incorporate the Dover and Minerva turnpike road company.

An act to incorporate the Owingsville, Sharpsburg and Paris turnpike road company.

An act to incorporate the Louisville, Nashville and Knoxville Rail Road Company.

Reported the same without amendment.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Metcalfe, from the same committee, to whom was referred a bill from the House Representatives, entitled, an act to incorporate the Paris Rail Road Company, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading having been dispensed with.

Mr. Guthrie moved to lay the said bill on the table until the first day of June next.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Thornton and Patterson, were as follows, viz:

YEAS—Messrs. Boyd, Bramlette, Carter, Guthrie, McHenry, Morgan and Parker—7.

NAYS—MR. SPEAKER, Messrs. Coffey, Daviess, Gilbert, Gilder, Hanson, Harreld, James, Jessup, McDonald, Metcalfe, Miller, Patterson, Roberts, Smith, Southgate, Thornton, Watkins, Willis, Woolley, A. Young and S. Young—22.

On the motion of Mr. Metcalfe, the vote ordering the said bill to be read a third time, was re-considered.

The said bill was amended, and ordered to be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading having been dispensed with,

Resolved, That the said bill, (as amended,) do pass, and that the title thereof be as aforesaid.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the Clarke and Madison Bridge Company, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill (as amended) do pass, and that the title thereof be as aforesaid.

Mr. Metcalfe, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate a turnpike road company from the Poplar Plains in Fleming county, to Louisa, in Lawrence county, reported the same without amendment.

The said bill was amended, and ordered to be read a third time.

The rule of the Senate, constitutional provision, and third reading having been dispensed with,

Resolved, That that the said bill (as amended) do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Hanson, the committee of Finance was discharged from the further consideration of a resolution in relation to county levies, moved by Mr. James on the 20th instant.

Mr. Hanson, from the committee of Finance, to whom was referred a bill for the benefit of Richard Hazle, reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage thereof, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Daviess and Parker, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bramlette, Carter, Coffey, Gilbert, Hanson, James, McDonald, McHenry, May, Metcalfe, Morehead, Parker, Roberts, Smith, Southgate, Thornton, Watkins, Willis, Woolley, A. Young and S. Young—23.

NAYS—Messrs. Daviess, Guthrie, and Patterson—3.

Resolved, That the title of the said bill be as aforesaid.

Mr. Hanson, from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled, an act to extend the powers of the trustees of the town of Winchester, and for other purposes, reported the same with amendments, which were twice read, and concurred in.

The said bill was further amended, and ordered to read a third time.

The rule of the Senate, constitutional provision and third reading having been dispensed with,

Resolved, That the said bill (as amended,) do pass, and that the title thereof be as aforesaid.

Mr. Boyd, from the committee on the Penitentiary, reported a bill to provide for the instruction of the convicts in the Penitentiary,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. James, from the committee to whom was referred bills from the House of Representatives, of the following titles, viz:

An act further to regulate the Board of Internal Improvements, for the counties west of the Tennessee river.

And an act concerning the roads west of the Tennessee river, reported the same with amendments to each.

Which were twice read and concurred in.

Ordered, That the said bills be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading having been dispensed with,

Resolved, That the said bills, (as amended,) do pass, and that the titles thereof be as aforesaid.

Mr. McHenry read and laid on the table, the following preamble and resolution, viz:

Whereas, the present Legislature has deeply engaged in the system of Internal Improvements; they have appropriated two hundred thousand dollars for the purpose of making slack-water navigation in the Kentucky river, and the present State Engineer has suggested the propriety of connecting the waters of the Kentucky river, with those of the Tennessee river, by a canal to cross the Cumberland river, near the mouth of Yellow creek; a part of us believe that the waters of the Kentucky river and Tennessee river, can be connected by a different route with less expense, and of more advantage to the State, by a canal from Goose creek to Rockcastle river, down said river to Cumberland river, down the same to the Big South Fork, up the same near Emery river, or Poplar creek, thence by a canal into the Emery river, or Poplar creek, thence down the same to the Tennessee river—wherefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the Internal Improvement Board be directed to send an Engineer as early in May or June next as practicable, to survey both of the above named routes, with instructions to report to said Board as soon as said surveys are completed, and if said Engineer reports favorable to the latter route, the said Board shall then have power to withhold the appropriations made to Rockcastle, Cumberland and the South Fork of Cumberland rivers, and until the further action of the Legislature; and if said Engineer reports favorable to the first named route, then the appropriations to the above named rivers shall be laid out agreeable to the provisions of the present laws.

The rule of the Senate having been dispensed with, the said preamble and resolution were taken up, and twice read.

Mr. Willis moved that they be laid on the table until the first day of June next.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Willis and McHenry, were as follows, viz:

YEAS—MR. SPEAKER. MESSRS. Boyd, Carter, Guthrie, Harreld, Jessup, McDonald, May, Metcalfe, Miller, Morehead, Patterson, Smith, Southgate, Thornton, Watkins, Willis, A. Young and S. Young—19.

NAYS—Messrs. Bramlette, Coffey, Daviess, Gilbert, James, McHenry, Parker and Sisk—8.

Leave having been given, the following bills were reported, viz:

By Mr. Carter—A bill for the benefit of Nancy Duncan; and

By Mr. Miller—A bill to change the time of holding the court of assessment for the 35th Regiment, Kentucky Militia.

Which bills were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, the former was referred to the committee of Religion, and the latter to the committee on Military Affairs.

A message was received from the House of Representatives, announcing that they had concurred in the first and third amendments, and disagreed to the second amendment proposed by the Senate to the amendments proposed by that House to a bill from the Senate, entitled an act defining the powers and duties of the Board of Internal Improvement, and for other purposes.

The said second amendment proposes to amend the amendment proposed by that House, to the thirty-first section of the bill, by striking out the words "or Richmond and London turnpike company."

Mr. Guthrie moved that the Senate insist on their said amendment.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Daviess, and Lusk, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bramlette, Carter, Coffey, Daviess, Gilbert, Guthrie, Harreld, Jessup, Lusk, McDonald, McHenry, May, Morgan, Parker, Patterson, Sisk, Smith, Southgate, Thornton, Watkins, Willis, Woolley and S. Young—25.

NAYS—Messrs. Grider, Hanson, Metcalfe, Miller, Morehead and A. Young—6.

Messrs. Guthrie, Smith and Lusk, were appointed a committee on the part of the Senate, to confer with a committee to be appointed on the part of the House of Representatives, on the disagreement between the two houses.

Ordered, That Mr. Guthrie inform the House of Representatives thereof, and request the appointment of a committee on their part.

After a short time, a message was received from the House of Representatives, announcing that they had appointed a committee of conference on their part.

The committee on the part of the Senate then retired and soon after returned, when Mr. Guthrie reported that the committee had come to the following agreement, viz:

Strike out the amendment of the House and the Senate, and in-

sert at the end of the thirty-first section, "but if said Board shall deem it expedient, they shall cause the same to be expended in the construction of that part of the turnpike roads and bridges between the Crab Orchard and Cumberland Gap, and the turnpike road from Richmond to Cumberland Gap, through London in Laurel county, which is common to both roads."

Which was twice read and concurred in.

Ordered, That Mr. Guthrie inform the House of Representatives thereof.

A message was received from the House of Representatives, announcing that they had concurred in the said agreement.

A bill from the House of Representatives, entitled, an act to authorize the improvement of the hill at Mill's Point on the Mississippi river, was taken up.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A bill from the House of Representatives, entitled, an act to change the mode of summoning jurors in this Commonwealth, and to provide for their compensation, was read the third time as amended.

And the question being taken on the passage thereof, as amended, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Daviess and Lusk, were as follows, viz:

YEAS—Mr. SPEAKER, Messrs. Carter, Coffey, Gilbert, Grider, Hanson, Harrel, James, Jessup, McDonald, McHenry, May, Metcalfe, Morehead, Morgan, Parker, Roberts, Sisk, Southgate, Willis, A. Young and S. Young—22.

NAYS—Messrs. Boyd, Bramlette, Daviess, Guthrie, Lusk, Miller, Smith, Thornton, Watkins and Woolley—10.

Resolved, That the title thereof be as aforesaid.

Mr. Willis from the joint committee appointed to visit Transylvania University, and the Lunatic Asylum at Lexington, made the following report, viz:

The joint committee, raised for the purpose of visiting and examining the Lunatic Asylum and Transylvania University, having performed the duty assigned them, respectfully report:

That in pursuance of the resolution under which they were appointed, they repaired to the city of Lexington, and as soon thereafter as circumstances would permit, they visited the Asylum, in company with the commissioners thereof, and made as full an examination of the institution, and the unfortunate inmates as they conveniently could. And it is with unfeigned satisfaction, they

can bear testimony to the excellent manner in which it is conducted. So full and satisfactory however, has been the report of the commissioners, submitted to the present Legislature, as to its situation, that but little will be required of your committee. The books of the institution, with the vouchers for the disbursement of its funds, were exhibited to us for our examination; we did not, however, for the want of time, examine them minutely; your committee found the books and papers kept in a neat and accurate manner, exhibiting every entry necessary to show the fiscal concerns of the Asylum. It is to be regretted that the commissioners have been unable to purchase the ten acres of land adjoining the ground of the State attached to the institution, for which an appropriation was made at the last session, no part of which has been drawn from the Treasury, in consequence of their being unable to effect a purchase of the ground, nor have the commissioners erected the enclosure recommended by a like committee last year, because of the want of a sufficient appropriation of money to effect it. The purchase of the ground and the enclosure, your committee still regard as important to the institution, to secure the inmates from escape, and at the same time, to allow a healthful exercise, at manual labor, or recreation. Your committee also visited, and examined, that ancient and interesting institution, Transylvania University. In the college proper, they were met by the trustees thereof, who, by their chairman, made known to us their anxious desire to have the University so endowed by the Legislature, as to render it not only eminently useful, but the pride of the State. In order that the views thus communicated, might be presented to the Legislature, through the chairman of your committee, a communication was addressed to the chairman of the board of trustees, whose response will be herewith presented, which contains in substance, the views expressed to us orally.

Lexington, Feb. 7th, 1836.

WILLIAM T. WILLIS,

Dear Sir: In answer to your letter of yesterday, in which you call on me to state to you, as chairman of the joint committee from the Legislature, the condition of Transylvania University, its present and future wants to make the institution as useful as it was intended to be by its founders, &c., I am sorry to say that the absence from the city of Mr. Johnson, the Treasurer, renders it difficult for me to give the information desired, so as to be even satisfactory to the committee, if it does not make it impossible for me to state accurately the fiscal concerns of the institution; and upon that point, in addition to what I shall say, I must refer you to a statement drawn up by that gentleman, and by my directions, handed to you.

Transylvania University had its existence from the act of

the General Assembly of the State of Virginia, passed on the —— day of 178—. By that act, and other acts of that Legislature, certain escheated lands to the amount of \$8,000, were vested in the trustees of Transylvania Seminary, and a pledge given that Transylvania should have \$12,000 more of the first escheatable lands, within the then county, and now State of Kentucky. But as these lands were then wholly unproductive, the Legislature of Virginia provided that the surveyors of the county of Kentucky, and those counties to be thereafter made out of it, should pay over to Transylvania one sixth part of their fees, and by a further provision, the Legislature directed that the surveyors of the military districts on continental and state establishments, should also pay to Transylvania one sixth part of *their* fees, and in default of payment, a motion was given against them in the late Supreme Court for the District of Kentucky. In addition to these provisions, a few public spirited gentlemen donated to Transylvania a five acre lot, on which the old college edifice stood. During the existence of Virginia sovereignty over Kentucky, the surveyors, it is presumed, paid in whole, or in part, the one sixth part of their fees; but thereafter the surveyors of counties, alleging that their offices under Virginia had ceased, and holding under Kentucky, they were not bound to pay. As, however, the military surveyors continued to hold their offices under Virginia, the same pretence, as to them, did not exist. But as the Supreme Court was abolished, and the Legislature of Kentucky failed, though requested from time to time, to open any court in which the surveyors could be sued, this source or aid to Transylvania, from and after the 1st day of June, 1792, ceased. About this period of time, or shortly after it, a portion of the clergy belonging to the Presbyterian order, took umbrage at the appointment of the late Mr. Toulman, to the office of President of the institution, and from that, and perhaps other causes, founded an institution or academy at Pisgah Meeting-House in the county of Woodford, called the "Academy." This institution, and that of Transylvania, seem to have languished on until the fall session of the Legislature of Kentucky 1797, when they were united under the name and style of *Transylvania University*. As both these institutions were then destitute of pecuniary means, and the Kentucky Academy had no real estate, except perhaps some seminary lands, nothing was added to the capacity of Transylvania, to enable her to extend her usefulness, except the assistance which she derived from the talents and friendship of the religious society to which the Kentucky Academy had belonged, and the addition of perhaps some books. There might have been some trifling pecuniary sums placed in common stock also, but if there were, the books, so far as I have seen them, give no evidence of them. It seems that the want of pecuniary means had before and about this period, driven the trustees to make ruinous leases of their lands, and that that circumstance, and the total unfitness of the old col-

lege buildings, induced an application to the Legislature to allow the trustees of Transylvania to sell their lands with a view to make the fund more productive, and to erect suitable buildings. This was granted, and the whole of the lands of Transylvania were sold, out of which, the trustees attempted to construct a suitable and costly edifice, and also accumulated, in bank stock of the old Bank of Kentucky, to the amount of about \$30,000. In the year 1817, the Legislature became dissatisfied with the condition of Transylvania, and by an act of that session, repealed the charter of 1797, in part, removed the then board of trustees and elected others according to the provisions of the charter of 1817. Under this latter charter, I took my seat for the first time as a trustee, and on the first meeting of the board was appointed Chairman, which office I continued to hold until about the year 1821, when I resigned it, and the chair was then filled by the late Col. Morrison; on entering upon the duties assigned to the board of trustees under the charter of 1817, the first object that presented itself was, the actual condition of its fiscal concerns, to ascertain which, the board was diligent. But from the manner in which the books of the institution had been kept, it was impossible to do so. All we could do was to commence a new set of books, being satisfied, that however irregular our predecessors had been in keeping their books, that they were yet honest and sincerely desirous of doing good, and further, that if the institution had suffered at all, it was without remedy, and further, that it was our duty to conciliate rather than push a controversy with our predecessors about their economy; the board proceeded to *re-elect* the two old professors, Messrs. Bishop and Sharp—the latter however, refused to accept, and his place was filled with another. The board also elected the late Mr. Holley, President, and founded the law and medical colleges, which still exist. The trustees finding the college edifice unfinished, and that they had to expend a considerable sum in repairing the Refectory and other indispensable buildings, *with* a view to its complete organization, they of course appointed an executive committee, and with all reasonable despatch had the college edifice and other indispensable buildings completed, and the whole college so far advanced in its usefulness, that before the end of the year 1821, (the period at which I resigned my seat in the board,) the college department exhibited a catalogue of between one and two hundred students, and the law and medical classes, though not so large as at present, were nearly so. By the act of 1819, the charter of the Farmers and Mechanics' Bank of Lexington was repealed, which swept from Transylvania the premium granted from that Bank, and left her without other resources, save the tuition fees. The completion of the college edifice and the appurtenant buildings, had taken from Transylvania her Kentucky Bank stock, or plunge her into a state of indebtedness beyond its then

reduced value, to the amount of upwards of \$10,000, when the Legislature, to relieve her, by the act of 1822, granted the sum of \$20,000 Commonwealth's paper, then equal to \$10,000, specie. With this sum, Transylvania continued to flourish until about the year 1827, when the trustees, finding the funds of the institution too small to allow President Holley the salary originally granted him, he resigned his office, and the Miami University, by offering the presidency of that institution to professor Bishop, with a better salary than the trustees of Transylvania could pay him, he also resigned his professorship of Mathematics. These resignations happening in rapid succession, left Transylvania without officers to conduct her literary departments, and thereby caused almost an entire dissolution of those departments; nor had she the means of inviting to her aid professors to fill her vacant chairs, until an association of public spirited individuals volunteered her a temporary supply, and thereby enabled the trustees to invite the Rev. Alva Woods to the Presidency, under whose administration Transylvania partially revived, when the principal college edifice, the furniture, apparatus, and most of the books, were consumed by fire. Soon after this occurrence, the University of Alabama, by offering the proper inducement to President Woods, to quit Transylvania, he left it then in its then prostrate condition. Since, shortly after the conflagration, I have been a member of the board, and with the rest of the trustees, have united in rearing the present building and in adding to the college grounds about 15 acres, on which the trustees still owe a debt of 7,000 dollars. The college edifice is spacious and fully sufficient for the University for years to come; but the trustees have no means to build a refectory, a kitchen, and other necessary and indispensable buildings. The library, consisting chiefly of books donated to the institution, is wholly insufficient, and the Philosophical Apparatus, though reputable, is also inadequate, and needs augmentation. The expenses incident to conducting the University, added to these wants, renders it impossible, without Legislative aid, for the trustees to elevate Transylvania, to a scale of usefulness worthy of the State and worthy of the patriotism of the mother State. From its foundation, I have thus endeavored to give a hasty outline of the rise and progress of Transylvania down to the present time, that the Legislature may see that the causes which have led to the embarrassment of Transylvania, have not resulted from any misconduct or mismanagement of its board of trustees under its present charter; but that, considering the limited means with which they have administered the affairs of the University, it has done much for the country, and has exhibited a capacity to do all its best friends or the friends of science can desire, if the necessary fiscal aids, are advanced for the purpose. The trustees, looking to such aids, appointed to the office of President the Rev. Mr. Coit, in whose zeal, industry,

and capacity, they have full confidence, and feel satisfied that with proper endowments, and under his supervision, Transylvania has nothing to fear from rival or hostile institutions in other States, and that the highest hopes of her friends will be fully realized. They have also engaged as assistants an able Professor of Mathematics, of Ancient Languages, and of Chemistry. With these they trust they have a nucleus formed on which to enlarge as the Legislature shall grant them the means; but here they must stop unless the Legislature shall give them assistance. A university implies a place of general instruction; not only where letters, but the useful arts are also taught. For the want of funds, Transylvania has no Professors of *Geology, Mineralogy, Botany*, nor even of the Modern Languages. The trustees have laid the groundwork for all these professorships, so that it only remains for the Legislature to give the impetus to all these and other useful branches of education.

The entire appropriations made by the Legislature of Kentucky, to Transylvania University, under its present charter, consists of the tax upon the Farmers and Mechanics' Bank of Lexington for two years, or about that period, \$5,000; to the Medical College, \$5,000, worth in specie \$3,333 $\frac{1}{3}$; twenty thousand dollars in Commonwealth's paper, worth \$10,000, the whole amounting to the sum of \$18,333 $\frac{1}{3}$, to which may be added, of fines and the tax on auctions and from all other acts of the Legislature, the further sum of \$3,000, making the entire sum of \$21,333 $\frac{1}{3}$, produced from every source of Legislative bounty. Owing to the burning of the books of the University, it is impossible now to state the number of students that have received their education in the collegiate and law departments of Transylvania. In the literary, they have varied from 50 to 150, and, taking the average of these numbers, will be 100 annually for 19 years, 1,900; let the average of the law school be 40, and there has been educated 760 law students, and although the Medical college did not get into operation until the fall of 1818, it yet appears from the letter of Professor Short, that, since its organization, it has given Medical instruction to 3,329 pupils; so that it appears for the above supplies, the State has had educated 5,989 students of her own citizens, and of those of other States; without the supplies above enumerated, small as they have been, Transylvania must have closed, and a vast amount saved to the State, in money, by the education of her own sons, within her own institution, instead of a resort to foreign schools sacrificed, besides the myriads of dollars that have annually flowed into the State for instruction given to citizens of other States. If the mere fiscal calculation was worthy the subject of education, never was capital more profitably invested, than that which has been paid into Transylvania; but the period has arrived, when Kentucky is tributary to other States for letters, and must forever remain as

such, unless she exerts her ample means to give life and energy to her University. I have shown that the trustees of Transylvania have not funds to erect the buildings to board and accommodate the students; that they have not the means to found and establish the professorships necessary to a complete education; in fine, that they have not the means to compensate by competent salaries the professors that are already in office; that the salaries are so low that not only the State Universities, but corporations also, can, by tendering the professors the means of livelihood, keep the University in a perpetual destitution of able teachers, and that it is this state of things that has produced a drain upon the State, for foreign education, which must continue, and continuing, must increase until the cause is removed; and, Sir, to remove the cause of this drain, the Legislature has only to endow Transylvania. I think I have said little when I say, that it is the only remedy, and unless that remedy is quickly applied, that it will soon require the utmost exertions of Legislative skill and fiscal energy to check the disease. A few thousand dollars will do for Kentucky literature now, what millions will be unable to accomplish for the next generation. To verify this fact, I would ask the Legislature to turn its attention to Pennsylvania. That great State once had her Dickerson College, in which she educated her own citizens, and through which, she taxed other States. But that College, like Transylvania, feeling her endowments unequal to the great purposes of education, appealed, in vain, to her Legislature, and had at last to close her doors, her state failing to give her aid when needed, and with Dickerson College, expired the spirit of education in Pennsylvania. It is true that the Legislature of that State gave means to her College, but they came too late; that which would have been ample to have kept it alive, was unable to bring it back again into existence. For this act of Pennsylvania, she has been tributary to the schools of other States, and must remain so for years to come; few will think of sending to a State for collegiate education, that has shown such an utter disregard to the diffusion of letters, that Pennsylvania did in neglecting Dickerson College: may Kentucky, from the example, not only of Pennsylvania, but of every other people that has neglected the great business of education, take warning, and before the lamp of science is extinguished, apply the needful remedy to reinvigorate her University. Without money the Legislature can never afford the means of education. It is in vain to think, much less to speak of education, unless something more is done than has heretofore been by the Legislature. If they expect an University in truth, as they have one in name, they must do what other States have done and are doing, grant the funds to support it. How is it possible for the trustees of Transylvania, without money to buy grounds to build houses and to pay professors? To suppose it, is madness; and are the trustees, by struggling

in poverty and distress, to keep alive the only institution of learning the State has, in competition with the Colleges and Universities of other States amply endowed. How can the trustees bear up against the offers made to a President or Professor of a competency or livelihood by the Colleges of surrounding States, when they have nothing but the pittance which remains of the Morrison legacy to detain them with? How can they expect the sons of other States to resort to Transylvania, when her means do not enable the trustees to place her upon the footing of ordinary Colleges, and how can they prevent the drain of treasure which Kentucky is now pouring into foreign schools, destitute as Transylvania is of the Professorships requisite to complete a collegiate education. To conceive how entirely fruitless are any such expectations, the Legislature of Kentucky has only to see what is done for education in other States. I will not enumerate the States north-west of Ohio. They have been too amply provided for out of the public lands, to require a particular reference to them in this place. If their Colleges do not thrive, it will not be for the want of ample means. Ohio, Indiana and Illinois all have Colleges, and each taxing Kentucky at this moment for education; while Kentucky has her nominal University, expiring for the want of fiscal means. South Carolina, a State of about half our territory and population, after expending large sums on her University, has endowed it, I believe, with \$10,000, yearly. Georgia has endowed her University with about 12,000 dollars; and Virginia, after spending nearly a million of money on her University, has permanently endowed it with \$15,000 per annum from *her treasury*. The Eastern Colleges are still more splendidly endowed. The State of Massachusetts, less than one fifth the size of Kentucky, has her University at Cambridge with nearly \$30,000 income per year. New York has expended her millions on her Colleges and Academies, and distributes among them hundreds of thousands annually. Other States East and South of us are marching to power and wealth by the light of science; while it is a melancholy fact, that Kentucky is, and has been for years, retrograding. To put Transylvania upon an equality with the Universities of other States, we do not ask what is given by other States; half the means annually granted by Virginia, to Centre College *alone*, would enable Transylvania to vie in numbers and in rank with the proudest Colleges of the United States. Give her that, and she will rely upon her healthy and central position in the great valley of the West, upon the numerous Rail Roads and Turnpikes, that unite at her location, which are either in existence, or in contemplation, not only to stop the resort of the youth of Kentucky to foreign schools for education, but to attract to the University of Kentucky the youth of sister States, by the superior advantages

which it will possess over the other Schools and Colleges of the United States, at least those in the valley of the Mississippi.

I have thus far treated the subject of endowment of Transylvania in a pecuniary point of view, and I think from what I have shown, that were it a mere question of money, of profit and loss, that Kentucky could no longer hesitate to afford her University the proper supplies. But as I have before intimated, the question of profit and loss is beneath the subject. Education in a Commonwealth is the business of the State. In a State like ours, every man is born a law-maker and a governor, and every man should be an educated man, or the Commonwealth must suffer. What can it avail a Commonwealth to be wealthy and populous, if it be unlettered and ignorant? Mind is power. Without it, no people can be strong, and without its cultivation in a State, no people can long maintain the right of self-government. The first duty of a Commonwealth, is to provide *amply* the means of educating her future Legislators and Governors. So thought our mother Virginia when, in the midst of revolutionary struggles; when surrounded with poverty and her territory overrun in part, her capital taken, and her public records committed to the flames by the enemy, she planted Transylvania, and endowed her to the utmost of her means, in the far west for the education of the future Legislators of the Commonwealth. Kentucky is at this moment, for roads and canals, expending millions. But what are roads and canals to a Commonwealth compared with proper and judicious systems of education. I do not object to these disbursements for the improvement of the face of our country; but I object to the Legislative mind and means being wholly directed to such improvements, to the exclusion of the improvement of the mind. I know that some object to granting aids to the University, and think that the Legislative means and aids should be directed to primitive schools alone. The fallacy of this idea is not peculiar to Kentucky. Other States have experimented upon it, and the result is the same every where. Virginia alone spent more than a million of money in trying to make Colleges and Primitive Schools without a University. The result was a total failure. Kentucky has granted a way, upon the like impressions, seven hundred thousand acres of vacant lands, without doing any perceivable good to the cause of general education; and the reason of these failures is an obvious one—to keep up seminaries and primitive schools. The State must have school masters of her own, and not be dependent upon foreign capital. It is in vain that you have houses, if you have not school masters; and such will ever be your condition until your University shall, by her yearly graduates, send forth into every part of the State, a supply of school masters. In the southern and middle States the primitive school system has failed, while in the New England States and the State of New York, they flourish. In the latter States they

have Universities that furnish a supply of native talent for their primitive schools; but in the former States they began with district schools, as we have done, without providing a supply of native talent for school masters. Hence, I think I may safely say, that until the Legislature shall supply the materials for school masters, for their district and primary schools through its own University, that every effort to educate the great mass of the children of the State will be, as it has heretofore been, an abortion. Connect your University with your system for Colleges and Schools, and lay off every county in the State into school districts; allow each district to levy a tax for its school; and whenever it does so, give it a particular aid from your school fund according to the number of its pupils; thus combining individual vigilance with the treasury munificence, and you will bring into existence your primitive schools as fast as your University can supply, from her graduates, competent teachers. Such was the scheme, which in 1819, I presented to the House of Representatives, as their chairman on education; and my reflections since, with the experiment of New York, have satisfied my mind that it is the best, if not the only plan that can succeed in giving to the people at large the full benefits of popular education. But one thing we all know, and that is, that if all plans fail us in finally giving to the people district schools, that with the proper and necessary aids Transylvania can be raised to a point of usefulness alike creditable to the State and age in which we live, and that whether she attains that eminence or ceases to exist, must soon be determined by the Legislature. That that determination will be favorable I cannot, I will not, permit myself to doubt. In the growth, and in the final success of Transylvania, how many recollections of its origin and of the names who first constituted the governors and patriots of this first and most ancient literary institution of the west, press upon the mind. With her origin the names of Todd, of Floyd, and of Clarke, with other patriots and worthies of that eventful age, are associated. Amidst the western wilds of Kentucky, while war was desolating the eastern portion of Virginia, and while the scalping knife and tomahawk were reeking with the blood of the West, the board of trustees for Transylvania University held its meetings and gave to science the first impulse on the waters of the great Ohio. They clung to her, as the Western Star, that was to light their sons to usefulness and fame. The few who had books to spare donated them, and these, when I first saw Transylvania, constituted her almost entire library. It was all they could spare to her amidst the poverty and war with which they were oppressed. These books have perished in the flames, and the benevolent founders of Transylvania all sleep in death; but their names are written in our history. We are another generation, blessed with wealth, peace, liberty, and happiness—the fruits of their toil and blood—and shall we, sur-

rounded as we are, with these blessings, prove ourselves their degenerate sons by suffering Transylvania to languish, and languishing to die. Shall the future historian record, that in the eighteenth century, our fathers, oppressed with war, oppressed with poverty, planted this institution of learning, and that we, their posterity, when great, powerful, and rich, permitted this, their favorite object, to expire and cease, because we are too sordid of our wealth and careless of our own posterity to provide the funds to keep her alive? I trust not sir; but that while we are doing so much to improve and increase our wealth and comforts in Internal Improvements, we will not forget the cause of education. Let it not be said that Lexington, and its surrounding country, must endow an institution for the State, or, that Transylvania, like the literary institutions of the religious sects, must address her claims to the liberal and charitable of the country. The communities or individuals who contribute their money ought to exert a peculiar power over the schools they patronize; and hence it is, that the schools of the sects, not only address themselves to the churches to which they belong, but address themselves successfully when they need funds. But Transylvania has no church nor individual charity fund to appeal to. She belongs to no sect. She is the property of no individual; but belongs to the State. And surely a proud, a high minded State, will not allow her institution to become a pauper, begging precarious charity, to enable her to languish out a miserable existence. Better, far better, for her and the State, if she is only to live by begging, that she die at once. But this I know is not intended. The Legislature would consider such a catastrophe too ruinous to the interests and credit of the age. Why not then, at once, vote the trustees the means to make for the people an institution worthy of them—a College, the common property of all, where the protestant and catholic meet together (having equal rights) upon a perfect equality—a seminary of learning that is neither the peculiar property of the Episcopal, the Presbyterian, the Baptist, Methodist or Catholic, but the common property of all—a State University, in which the poor man and the rich man, the proudest and the humblest of society have equal claims—an institution that none of all the Commonwealth shall be so low as not to have a common property in it. Such an institution the people deserve at the hands of their Representatives. For myself I ask but little in putting up my petition in behalf of Transylvania. To me she is less indispensable than she is to thousands; but I implore the Legislature of my country, to not longer neglect her. In behalf of that country whose property she is—in behalf of my country, the birth place of my children, and where rest the bones of my ancestors, and for her sons, her future heroes, and statesmen, it is, that I implore the Legislature not to let the present crisis pass by with-

out applying the aids necessary to place the University in a state of independence and extensive usefulness.

I am, dear sir, your friend and obedient servant,

ROBERT WICKLIFFE, C. B. T. T. U.

We also present the report of the Treasurer of the Board.

To the Chairman of the joint Committee of the Legislature of Kentucky.

Dear Sir:—By the direction of the Board of Trustees of Transylvania University, and at your desire, I have the honor of submitting the following statement of the condition of the institution, viz:

Estimate of the Property of the University.

Twenty acres of ground in the city of Lexington, including Morrison College, the Blythe lot, and old University lot,	\$100,000 00
Morrison Professorship fund, loaned on real estate,	20,000 00
Library, Philosophical and Chemical apparatus, and furniture of Morrison College,	5,000 00
Frankfort Bridge Stock,	1,000 00
Escheated property in Fayette county,	500 00
	<hr/>
	\$126,500 00

The present Debt of the Institution.

Amount due on purchase of the Blythe lot,	\$7,000 00
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Annual Income.

Interest on Mor. Professorship fund,	\$1,200 00
Tuition fees of sixty-two students,	1,800 00
Fines and forfeitures in Fayette county (average)	150 00
Auction tax,	100 00
	<hr/>
	\$3,250 00

Annual Expenditure.

Salary of President of Trans'a. Un.	\$2,000 00
" " Professor of Mathematics,	800 00
" " Professor of Languages,	600 00
" " Principal of Preparatory Department,	600 00
" " Assistant of do do	200 00
" " Treasurer,	150 00
Wages of Janitor,	168 00
Insurance on Morrison College,	112 50
Fuel, Stationary, repairs, &c.	500 00
	<hr/>
	\$5,130 50

It would be proper to add, that hereafter, there will be an increase to the annual income of perhaps \$200 from rents, and also that there is a small balance in the hands of the Treasurer to meet current expenses.

From the above it appears that the Institution holds

property of the value of	\$126,500 00
On which a debt remains of	7,000 00
And the annual expenditure will exceed the income,	1,880 50

The number of students has increased since making the catalogue furnished you.

In this statement the Medical and Law Departments are not included, as similar Reports may be expected from the proper officers of those Departments.

Respectfully,

Your obedient serv't.,

M. C. JOHNSON,

Treas. of Trans'a.

University.

The high reputaion which the medical department has obtained, is now admitted, and is proven, by the increased and increasing number of medical students, from various States of the Union. An abstrat made out by one of the professors of the department in relation to its constitution, &c. is also herewith submitted.

Medical Department of Transylvania Univessity.

Organized and commenced its operations in Nov. 1819.

1820, received from Kentucky \$5,000, in currency—worth about \$3,500, in specie—and nothing since. Kentucky was then *poor*, and the school but a *name*.

Consists of eight chairs—1. Anatomy—2. Surgery—3. Institutes of Medicine—4. Theory and Practice of Medicine—5. *Materia Medica* and Medical Botany—6. Midwifery—7. Chemistry—8. Medical Jurisprudence. No school in the Union better or more fully organized. Indeed no other contains more than *seven* chairs, and *but one* more than *six*.

Officers.

Six Professors, two Assistants, and a Librarian.

Professor Dudley occupies the chairs of Anatomy and Surgery. Professor Caldwell the chairs of The Institutes of Medicine and Medical Jurisprudence.

Library.

Consists of 4,000 to 5,000 volumes—say 4,500—select, valuable and costly.

Expenses.

Entire cost of two full courses of lectures and a degree to each pu-

pil, \$240—cost in the Philadelphia school, where there are only seven chairs, about \$300.

Classes.

Entire number of pupils educated 3329—number of graduates 928.

Kentuckians Educated.

Entire number 1371. Had all these attended two courses of lectures and graduated in Philadelphia, each must have carried from Kentucky and expended in the East, at least \$1000—making \$1,371,000—to attend one course \$685,500.—Suppose one third to have graduated, which is a very moderate proportion, then the loss to Kentucky would be \$1,000,000.

From other States.

The whole number of pupils from other States educated in the Medical School of Transylvania, 1957—Each of these has expended in Kentucky, on an average more than \$500; but say \$500. The entire sum brought by them into Kentucky then is \$978,500—This may be fairly set down at \$1,000,000.

Made and saved to Kentucky then by the Medical School, \$2,000,000.

Other benefits and Honors.

Has given to Kentucky, Physicians better qualified to treat her diseases than could possibly have been given her by Eastern Schools, whose Professors have no practical knowledge of Western complaints.

Has greatly elevated the character of the Profession of Medicine in Kentucky, and the entire valley of the Mississippi.

Has given to Kentucky, in other States of the West, a standing and consideration she could have attained no other way.

Independently of all other considerations, Kentucky should cherish and support such an institution, from a sentiment of State ambition and State pride.

Kentucky being the oldest of the Western States, and one of the most flourishing, should be ambitious to have the most distinguished institution.

The Medical School asks for \$10,000, to augment her Library and Philosophical Apparatus necessary in teaching. This is much less than any other State Medical School in the Union has received. It would not be worth while to send an agent to Europe to purchase Books and Apparatus, with less.

The Medical School of Transylvania has been long the *second* school in the Union, in the size of her classes. The School of Philadelphia alone has surpassed—that School nearly one hundred years old—in a large city and in a wealthy country. Has so cheapened education, as to bring it within the reach of every one

Nor is the law department less promising in usefulness, although of recent organization. In this department, there are as yet, only two Professors, but the acknowledged talents and attainments of those gentlemen, give a guarantee to the public, that their department, will be fully sustained in usefulness; and authorize the expectation that in this school of legal science, our young men will receive an impetus, and tuition, that will afterwards display itself to the world, to the honor of the school, and to the blessing of our country. Without any suggestion from your committee at this time, they refer to the Legislature the decision of the question, as to the endowment of the University, not doubting, but it will receive the attention which its importance requires. All of which is respectfully submitted.

WM. T. WILLIS, Ch'm. S.	}	<i>Committee of the Senate.</i>
RICHARD SOUTHGATE,		
SAMUEL B. JESSUP.		
F. W. TRAPNALL, Ch'm. H. R.	}	<i>Committee of the House of Rep.</i>
C. TOMPKINS,		
J. HOLLINGSWORTH,		
N. McCLURE,		
SAMUEL O. PEYTON,		
L. L. LEAVELL.		

A message was received from the House of Representatives, by Mr. C. A. Wickliffe, announcing, that they had insisted on their disagreement to the amendments proposed by the Senate, to a bill from that House, entitled, an act to establish the town of Farmington, in Lincoln county, and for other purposes; and had appointed a committee of conference on their part, and requested the appointment of a committee on the part of the Senate.

Whereupon, Messrs. Daviess, Watkins and Boyd, were appointed a committee of conference on the part of the Senate.

The committee on the part of the Senate retired, and after a short time returned, when Mr. Daviess reported that the committee had come to the following agreement, viz:

Strike out the word "Farmington," where it occurs in the bill and title, and insert in lieu thereof "Hustonsville," which was concurred in.

Ordered, That Mr. Daviess inform the House of Representatives thereof.

On the motion of Mr. Guthrie—

An engrossed bill entitled, an act authorizing limited partnerships in this Commonwealth, was laid on the table.

Mr. Morehead, from the committee of Enrolments, reported that the committee had examined enrolled bills and a resolution of the following titles, viz:

An act to amend the law of bail in civil actions.

An act to fix the ratio and apportion the representation for the ensuing four years.

An act appointing a commission to make conveyances in certain cases.

An act for the benefit of the heirs of John Fouch.

An act to incorporate a college in Shelbyville, Shelby county.

An act to incorporate a company to construct a turnpike road from Shelbyville to a point of intersection with the contemplated rail road near Christiansburg, in Shelby county.

An act to incorporate a company to construct a turnpike road, from Porter's ferry, through Burlington to the Covington and Lexington turnpike road; and

A resolution to appoint a joint committee to examine the surveys of the Kentucky river, made by the State Engineer, and for other purposes.

And had found the same truly enrolled.

That the said bills had been signed by the Speaker of the House of Representatives.

Whereupon, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Mr. Morehead reported that the committee had performed that duty.

Mr. Harreld, from the committee of Religion, to whom was referred a bill for the benefit of Nancy Duncan, reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

And then the Senate adjourned.

SATURDAY, FEBRUARY 27, 1836.

A message was received from the House of Representatives, announcing that they had disagreed to the first, and concurred with amendments to the other amendments proposed by the Senate, to the amendments proposed by that House, to a bill from the Senate

entitled, an act to appoint commissioners to make certain improvements in the navigation of Green river.

Mr. James moved that the Senate recede from their first amendment.

The question being taken thereon, it was decided in the negative, and so the Senate insisted on the said amendment.

The question was then taken on concurring in the said amendments, to the Senate's amendments, and it was decided in the negative, and so the Senate disagreed to the said amendments.

The yeas and nays being required thereon by Messrs. Willis and Jessup, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Coffey, Gilbert, Harreld, James, Jessup, McHenry, May, Morehead, Smith and Willis—11.

NAYS—Messrs. Boyd, Guthrie, Hanson, Lusk, McDonald, Metcalfe, Miller, Parker, Patterson, Southgate, Thornton, Watkins, Woolley, A. Young and S. Young—15.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills from that House of the following titles, viz:

An act to incorporate the Paris Rail Road Company; and

An act to incorporate the Clarke and Madison Bridge Company, with amendments.

And that they had concurred in the amendments proposed by the Senate, to bills from that House of the following titles, viz:

An act to change the present mode of summoning jurors in this Commonwealth, and to provide for their compensation.

An act to incorporate the Versailles, Midway and Georgetown turnpike company.

An act to provide for the appointment of patrollers in this Commonwealth.

An act to incorporate a turnpike road company from the Poplar Plains in Fleming county, to Louisa in Lawrence county.

An act to alter the tax on wholesale and retail stores and groceries.

An act for the benefit of James Ramey.

An act to change the Maysville election precinct, and for other purposes.

An act regulating the time of holding the county court of Livingston county; and

An act to incorporate the Stanford and Lancaster turnpike road company.

And that they had passed a bill from the Senate, entitled, an act providing for a change of venue in the case of John U. Waring, with an amendment, which amendment was twice read and disagreed to.

And that they had passed bills of the following titles, viz:

An act concerning the town of Newmarket, in Marion county.

An act to change the place of voting in the Cedar precinct in Owen county.

An act to establish the town of Barnettsville, in Hart county.

An act authorizing the running and marking the dividing lines between the counties of Jefferson and Bullitt.

An act to change the places of voting in certain election precincts in the counties of Christian and Logan.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And that they had concurred in the report of the committee of conference on an act to establish the town of Farmington, in Lincoln county.

And that they had passed bills from the Senate, of the following titles, viz:

An act for the benefit of Anten Conder.

An act incorporatig the South Frankfort Bridge Company.

And that they had received official information that the Lieutenant and acting Governor had approved and signed enrolled bills of the following titles, viz:

An act for the benefit of the jailers of Marion and Henry counties.

An act for the benefit of the Russelville Male Academy.

An act to amend an act to establish an inspection of Tobacco and other articles of commerce, in the town of Paducah.

An act for the benefit of John Chesney.

An act for the benefit of Nancy Halliard.

An act to allow an additional constable to the county of Hancock.

An act to enlarge the constable's district of the town of Monticello.

An act to amend an act to improve the navigation of Muddy river.

An act to establish an election precinct at Farmington in Lincoln county.

An act for the benefit of Malinda R. Devers.

An act to improve the roads in Monroe, Allen, Cumberland Wayne and Whitley counties.

An act to incorporate a company to make a turnpike road from Perryville to Greensburg, by way of Lebanon and New Market.

An act to incorporate the Russellville and Clarkesville Rail Road Company.

An act to incorporate the Canton, Cadiz and Hopkinsville turnpike road company.

An act to incorporate the Clarke and Madison turnpike road company.

An act to establish a State road from the mouth of Trouble some Creek, to the Sounding Gap of the Cumberland Mountain.

An act to incorporate the Mills' Point Warehouse Company.

An act for the benefit of the sheriff of Bullitt county.

An act for the benefit of Elizabeth Pugh.

An act to incorporate the Glasgow and Scottsville turnpike road company.

An act to establish a State road from Flynn's old ferry across the Ohio river, in the county of Livingston, to Princeton in Caldwell county, and for other purposes.

An act to allow an additional justice of the peace to the county of Scott, and for other purposes.

An act for the benefit of William Rogerson, jailer of Spencer county, and for other purposes.

An act appointing commissioners to locate the way for a road from near the farm of David Davis, in Lawrence county, to the State road in Greenup county.

An act for the benefit of the county court clerk of Scott county, and for other purposes.

An act to authorize certain records &c. of the Wayne and Nicholas county courts to be transcribed.

An act for the benefit of the clerk of Calloway county court, and for other purposes.

An act to amend an act entitled, an act authorizing the sale of a portion of the real estate of Samuel Blankenbecker, dec'd. to pay his debts, approved February 14th, 1835.

An act for the benefit of Maria D. Ewell and others.

An act to repeal the 14th section of an act entitled, an act to provide for the sale of the vacant lands west of the Tennessee river, approved January 3d, 1825.

An act for the benefit of Mary P. Clark.

Approved 25th February, 1836.

• And that they had concurred in a resolution from the Senate, fixing a day for the adjournment of the General Assembly, with an amendment, which was twice read and concurred in.

Mr. Guthrie having obtained leave, reported a bill for the benefit of the town of Lafayette, in the county of Christian,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and

third readings of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Miller, from the committee of Religion, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Nicholas M. Ferguson, and Harriet Ferguson, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Metcalfe, from the committee of Internal Improvements, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to incorporate the Princeton and Ohio turnpike road company, and for other purposes.

An act to incorporate the Taylorsville and Harrodsburg turnpike road company, and for other purposes.

An act to authorize the construction of a bridge over Buck creek, in Pulaski county, reported the same with an amendment to the latter bill, which was twice read and concurred in.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision and third reading having been dispensed with,

Resolved, That the said bills, (the latter as amended,) do pass, and that the titles thereof be as aforesaid.

On the motion of Mr. Metcalfe, the committee of Internal Improvements were discharged from the further consideration of all the business referred to them.

Mr. Smith, from the committee on Military Affairs, to whom was referred a bill to change the time of holding the court of Assessment for the 35th Regiment Kentucky Militia,

Reported the same with the opinion of the committee that it ought not to pass.

The question being taken on engrossing the said bill, and reading the same a third time, it was decided in the negative, and so the said bill was rejected.

Mr. Morehead read and laid on the table, the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Board of Internal Improvements, be required to furnish an Engineer to view the proposed Rail Road from Russellville to the Tennessee State line, on a direction to Clarksville.

The rule of the Senate having been dispensed with, the said resolution was taken up, and twice read.

The question being taken on the adoption thereof, it was decided in the negative, and so the said resolution was rejected.

Leave having been given, the following bills were reported, viz:

By Mr. Woolley—A bill directing the manner in which the stock of the Commonwealth, in incorporated companies, for works of Internal Improvements shall be voted.

By Mr. May—A bill to continue in force an act, entitled, an act to improve the navigation of Big Sandy river, approved 22d February, 1834.

By Mr. Guthrie—A bill to appoint Trustees of the Public Library; and

By Mr. Southgate—A bill to incorporate the Campbell county Silk Culture and Manufacturing Company.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

On the motion of Mr. Harreld, leave was given to bring in a bill, to appropriate seven hundred dollars to improve the navigation of Pond river, and Messrs. Harreld, Jessup and Morehead, were appointed a committee to prepare and bring in the same.

The amendments proposed by the House of Representatives, to the amendments proposed by the Senate, to bills from that House, entitled an act to incorporate the Clarke and Madison Bridge Company, and an act to incorporate the Paris Rail Road Company, were twice read and concurred in, with amendments.

Mr. Lusk, from the committee appointed to examine the Register's Office, made the following report, viz:

The joint committee of the Senate and House of Representatives, appointed to examine and report the state of the Land Office, have performed the duty required, and report as follows:

That they find transcribed from the Virginia Land Office, surveys in bundles numbered from 1 to 273, neatly labelled with an alphabet. Also, thirteen bundles containing the caveated and defective surveys upon which grants have issued; four bundles of caveated surveys; two bundles of defective surveys, and one bundle of surveys mislaid from their proper places, all neatly labelled and recorded in eleven volumes, well bound, with a complete alphabet; two bundles of warrants located and mislaid; one bundle copies of wills; sixteen volumes, the record of grants issued on the afore-

said surveys, in good order with a complete alphabet; the record of military warrants from the Virginia land office in two volumes, with alphabets, in good order; a list of Virginia treasury warrants in two volumes; the record of preemption warrants in one volume; and one volume containing the record of warrants under the proclamation of 1763, with alphabets, in good order; Commissioners' certificates granted in 1779 and '80, in three volumes with alphabets in good order; the sale books of non-residents' lands for the year 1801, '2 and '4, have a new alphabet, (though the books are somewhat worn;) the books in which the sales of 1805, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 are recorded, they find in good order with alphabets; two volumes in which surveys have been registered since 1792, in good order;—the said surveys are tied up in bundles numbered from 1 to 145, neatly labelled with an alphabet; the record of these surveys, together with the record of some grants in eleven volumes, with an alphabet, in good order; the grants issued on the aforesaid surveys are in nineteen volumes, with an alphabet, in good order; the surveys on headright claims are neatly registered in three volumes with two alphabets, (one of which is much worn;) the headright plats and certificates of survey are neatly labelled and recorded in seventeen volumes with two alphabets in good order, and are filed in bundles numbered from 1 to 316; the grants issued thereon are recorded in twenty-eight volumes well bound, with two alphabets, in good order; land warrants issued under the act of 1800, the surveys and grants on the same, and also the Tellico surveys and grants are in three volumes,—they are registered in one volume; the original surveys are tied up in thirteen bundles neatly labelled, all in good order; nine bundles of certificates on which warrants have issued; six bundles of certificates of sale of non-residents' lands, on which deeds have been made; one bundle of Attorney General's opinions to the Register; three bundles county court certificates; seven bundles of caveats since 1792; four bundles caveated surveys since 1792; two bundles of surveys not registered for want of fees since 1792; one bundle of defective surveys since 1792; forty-four bundles of vouchers on which the late Kentucky land warrants have issued, all neatly labelled and in good order; one volume containing the surveys under the proclamation of 1763, with an alphabet; two volumes of certificates granted in 1796 and three volumes in 1798, with alphabets; Anderson and Croghan's Military Entry Books in two volumes, with alphabets; the transcript of Lincoln Entries in two volumes, with an alphabet in good order; May's Entries, (so called,) transcribed in five volumes, with two alphabets in good order; one volume of Green's Deputy Register of surveys made previous to June 1792; one volume of relinquishments in tolerable order; a list of Kentucky Land Warrants issued under the act of 1814, and subsequent acts, in three

volumes, and the record of said warrants in ten volumes; the original surveys made on said warrants are tied up in 414 bundles, neatly labelled and recorded in sixteen volumes well bound; the grants issued thereon are recorded in thirty-two volumes, with three alphabets in good order; the said surveys are neatly registered in five volumes, with three alphabets, in good order; three volumes in which caveats are recorded, with alphabets; eleven books of original entries from the county of Fayette, neatly transcribed in four volumes, well bound, with an alphabet, in good order; one book of original entries from the county of Mercer, one from Bourbon, and one from Nelson, have been returned by the surveyors of said counties to the Register's office, all of which books of entries are in order fit to be used; the surveyor of Jefferson county has failed to return the original entries of that county to the Register's office, as your committee have been informed by the Register; one volume of Military Grants for land west of the Tennessee river; one volume in which the surveys of that land are recorded, and one volume in which they are registered; the surveys are tied up in six bundles, each volume having a separate alphabet; three volumes in which certificates of sales of lands west of the Tennessee river are recorded; seven volumes of grants issued thereon, with alphabets, in good order; one volume of Henderson's field notes; one volume in which the surveys south of Walker's line are recorded; three volumes of grants; one volume in which the same are registered, with alphabets, in good order; the surveys are tied up in sixteen bundles neatly labelled; one volume of the list of warrants south of Walker's line; one volume in which these warrants are recorded; one volume in which the surveys on forfeited lands are registered; one volume of the record of grants on the same, with alphabets, in good order; and thirteen bundles of certificates of sale of lands west of the Tennessee river, on which grants have issued.

SAMUEL LUSK, } Committee of
AQUILLA YOUNG, } the Senate.

GARRET DAVIS, } Committee of
R. F. KELLY, } the House.
WM. JOHNSON, }

A bill from the House of Representatives, entitled, an act for building a Bridge across Russell's creek in Adair county, was taken up, amended, and ordered to be read a third time.

The rule of the Senate, constitutional provision, and third reading having been dispensed with,

Resolved, That the said bill, (as amended,) do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives,

announcing that they had passed bills from the Senate, of the following titles, viz:

An act for the relief of Catharine Anderson.

An act for the benefit of the heirs of John R. Nelson, dec'd.

An act to change the time of holding the Owen circuit court, and for regulating the terms of the Fayette circuit court.

An act for the benefit of Elizabeth Logan's heirs.

An act to incorporate the Portland Dry Dock and Insurance Company.

An act concerning the Grand Lodge of Kentucky.

An act to incorporate a company to construct a turnpike road from Frankfort to Ghent, by way of Owenton and New Liberty, and to incorporate a company to construct a turnpike road from Georgetown to Warsaw, by way of Stampingground and Owenton.

An act for the benefit of George Davis.

An act for the benefit of George Ann Vincent.

An act for the benefit of George P. Jouitt and others.

An act extending the powers of the city authorities and trustees of towns, in this Commonwealth.

And that they had passed, with amendments, bills from the Senate, of the following titles, viz:

An act for the benefit of the settlers west of the Tennessee river, whose improvements have been entered by Seminary claims.

An act for the benefit of John P. Porter, and the heirs and securities of Reuben Adams, deceased.

An act to incorporate the towns of Harrodsburg and Danville.

An act the better to protect the proprietors of ferries across the Ohio and Mississippi rivers.

An act to incorporate the Franklin Fire and Marine Insurance Company of Louisville.

An act for the benefit of the widow and heirs of Tho. Wood.

An act to amend an act to establish the Louisville chancery court.

Which amendments were severally twice read and concurred in, except the amendments to the last named bill, which were disagreed to.

And that they had passed bills of the following titles, viz:

An act to authorize the citizens of Lexington to vote upon the question of a repeal of their charter.

An act to amend the penal laws and to authorize certain improvements within the walls of the Penitentiary.

Which bills were each read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with, (and the former being amended.)

Resolved, That the said bills, (the former as amended,) do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they insist on their disagreement to the first amendment, and on their amendments to the other amendments proposed by the Senate, to the amendments proposed by that House, to a bill from the Senate, entitled, an act to appoint commissioners to make certain improvements in the navigation of Green river, and had appointed a committee of conference on their part, and request the appointment of a committee on the part of the Senate.

Whereupon, Messrs. Willis, Jessup and James, were appointed a committee on the part of the Senate.

The committee retired, and after a short time returned, when Mr. Willis reported that they had come to an agreement, which was read.

On the motion of Mr. Metcalfe, the said bill and amendments were laid on the table.

Mr. Metcalfe having obtained leave, reported a bill to remove the obstructions out of Pond river and other streams.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they insist on their disagreement to the amendment proposed by the Senate, to a bill from that House, entitled, an act to allow an additional justice of the peace to Lincoln county, and for other purposes; that they had appointed a committee of conference on their part, and request the appointment of a committee on the part of the Senate.

Mr. Morehead, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act to incorporate a company to construct a road from Cloverport to Hardinsburg.

An act to incorporate a company to construct a turnpike road from Elizabethtown to Greensburg, by way of Hodgenville and Summersville.

An act to amend the charter of the city of Covington.

An act to repeal in part an act amendatory of the several acts relating to the town of Newport in Campbell county, approved 24th February, 1834, and also amendatory thereof.

An act to incorporate the south-western Louisville turnpike road company.

An act to authorize a State road to be opened from Bloomfield, in Nelson county, to McCoun's ferry, in Mercer county.

An act to incorporate a company to turnpike the road leading from Elizabethtown to Bardstown, and for other purposes.

An act to provide a sinking fund for the payment of the interest on loans for internal improvements, and for the final redemption of the principal of said loans.

An act to incorporate the Crab Orchard and Cumberland Gap turnpike road company.

An act concerning the town of Bowlinggreen.

An act prohibiting the making and circulating drafts, checks and orders, as money, in this Commonwealth.

An act to amend the charter of the Bardstown and Green river turnpike road company.

An act to incorporate the Kentucky Mining Company.

An act to incorporate a company to construct a turnpike road from Springfield to Maxville, and thence to intersect the Crab Orchard road at Harrodsburg.

An act to incorporate the Newport Lyceum.

An act to amend an act, entitled, an act to incorporate the Glasgow and Munfordsville turnpike company.

An act to amend an act, entitled, an act to incorporate the Covington and Cincinnati Manufacturing Company.

An act to amend the several acts of the General Assembly in relation to the Deaf and Dumb Asylum at Danville.

An act to legalize the proceedings of a court for the assessment of fines in the 34th Regiment of Kentucky Militia, and for other purposes.

An act to amend the charter of the Louisville turnpike company.

An act for the benefit of Thomas S. Ellison.

An act to regulate the Hay Market in Shelbyville, Shelby county.

An act to change the place of voting in the Harmon or Licking precinct, in Bath county.

An act appointing a commissioner on the Georgetown and Cincinnati road.

An act to change the name of Williamsburg, in Mason county.

An act for the benefit of the county of Jefferson.

Mr. Watkins, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act subjecting to county levy, in the counties of Caldwell and Livingston, all slaves that may each year hereafter be hired or otherwise introduced into said counties.

An act to incorporate the Louisville, Cincinnati and Charleston Rail Road Company.

An act to amend an act approved 22d December, 1831, entitled, an act to incorporate the Green River Rail Road Company.

Mr. Bush, from the same committee, reported that they had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Versailles, Midway and Georgetown turnpike company.

An act for the benefit of James Ramey.

An act for the benefit of the administratrix and heirs of John Hawkins, deceased.

An act to incorporate the Springfield, Perryville and Danville turnpike road company.

An act for the benefit of Mary E. Stansbury.

An act to incorporate the Paris, North Middletown and Mount-sterling turnpike road company.

An act to amend the charter of the Shepherdsville and Elizabethtown turnpike road company.

An act for the benefit of the law department of Transylvania University.

An act extending for a certain period and with certain limitations, the charter of the old Bank of Kentucky.

An act to incorporate the New-Castle Female Academy, and for other purposes.

The said bills had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Messrs. Morehead, Watkins and Bush, reported that the committee had performed that duty.

And then the Senate adjourned.

MONDAY, FEBRUARY 29, 1836.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act to provide for the management of the Louisville Marine Hospital.

An act changing the time of electing trustees for the town of Paducah.

An act to amend an act entitled, an act regulating the mode of settling accounts of executors, administrators and guardians.

An act to improve the road leading from Cumberland Ford to Mount Pleasant, in Harlan county.

An act to protect the actual settlers west of the Tennessee river.

An act for the distribution of Morehead and Brown's Digest, and Pirtle's Digest.

An act providing further compensation for killing wolves in this Commonwealth.

An act to provide for the instruction of the convicts in the Penitentiary.

An act for the benefit of Nancy Duncan.

An act concerning the Auditor's and Treasurer's offices.

An act for the benefit of Richard Hazle.

An act concerning the Estill Seminary.

An act legalizing the appointment of an agent to wind up the concerns of the late Farmers' Bank of Harrodsburg.

An act for the benefit of Jeremiah Dobson and Aaron P. Hodges, of the county of Calloway.

An act to incorporate the McChord Church Session and Trustees.

An act to authorize the clerk of Woodford county to record all deeds, which were not recorded in said office at the time of the death of the late clerk.

An act to incorporate the Lexington Fire, Life and Marine Insurance company.

An act to construct a bridge across Chaplin's Fork, at or near Hobbs' mill, in Washington county.

Resolutions in relation to the navigation of Cumberland river below Clarksville; and

A resolution for printing the titles of the acts of the present session.

An act to incorporate the Campbell county Silk Culture and Manufacturing Company.

An act directing the manner in which the stock of the Commonwealth in incorporated companies for works of internal improvement, shall be voted.

An act to remove the obstructions of Pond river, and other streams.

An act for the benefit of the town of Lafayette, in the county of Christian.

And that they had adopted resolutions from the Senate, of the following titles, viz:

Resolutions in relation to the navigation of the Cumberland river below Clarksville; and

A resolution for printing the titles of the acts of the present session.

That they had receded from the amendment proposed by them, to a bill from the Senate, entitled, an act providing for a change of venue in the case of John U. Waring.

That they had disagreed to a bill from the Senate, entitled, an act for the benefit of Christopher Rinerson, of Casey county.

That they had disagreed to the amendments proposed by the Senate, to bills from that House, of the following titles, viz:

An act further to regulate the board of internal improvement for the counties west of the Tennessee river.

An act concerning the roads west of the Tennessee river.

That they had concurred in the amendments proposed by the Senate, to the amendments proposed by that House, to the amendments proposed by the Senate, to a bill from that House, entitled, an act to incorporate the Clarke and Madison Bridge Company.

That they had concurred in the amendments proposed by the Senate, to bills from that House of the following titles, viz:

An act to extend the powers of the trustees of the town of Winchester, and for other purposes.

An act to authorize the citizens of Lexington, to vote upon the question of a repeal of their charter.

An act to authorize the construction of a bridge over Buck Creek in Pulaski county.

An act for building a bridge across Russell's creek in Adair county.

And that they had passed bills and adopted resolutions of the following titles, viz:

1. An act for the benefit of Amelia Allen.
2. An act to incorporate the Bardstown and Bloomfield turnpike road company.
3. An act for the benefit of George W. Nelson.
4. An act for the benefit of Henry Hall.
5. An act to protect mill dams and bridges.
6. An act to authorize the taking of depositions of certain officers of this Commonwealth, and the officers of Banks, to be read in chief in common law suits.
7. An act providing for the sale of the unsurveyed land west of the Tennessee river.
8. An act for the benefit of Isaac King, of Whitley county.
9. An act to appropriate a sum of money to improve the road from Columbia, in Adair county, to Grider's ferry on the Cumberland river.
10. An act to incorporate the Covington Hotel Company.
11. An act to incorporate the Lexington Fuel Company.
12. An act concerning the public arms.

13. An act authorizing an additional justice of the peace for Bourbon county.

A resolution requiring the Auditor to transmit copies of a certain act to the county court clerks.

A resolution requiring an Engineer to view the route of a Rail Road from Russellville to Clarksville.

Joint resolutions concerning the National Road.

Resolutions respecting abolition societies.

The said bills were severally read the first time.

The third, fifth and seventh were laid on the table.

The question being taken on reading the thirteenth, a second time, it was decided in the negative, and so the said bill was disagreed to.

The first, second, fourth, sixth, eighth, tenth, eleventh and twelfth, were ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

The question being taken on reading the ninth bill a second time, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Coffey and McHenry, were as follows, viz:

YEAS—MR. SPEAKER. Messrs. Bramlette, Carter, Coffey, Gilbert, Hanson, James, McHenry, Morehead, Patterson, Smith, Willis and A. Young—13.

NAYS—Messrs. Boyd, Guthrie, Jessup, Lusk, Metcalfe, Parker, Southgate, Thornton, Watkins, Woolley and S. Young—11.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, with amendments entitled, an act to continue in force an act entitled, an act to improve the navigation of Big Sandy river, approved 22d February, 1834.

An act to appoint trustees to the public library.

An act to incorporate a company to construct a turnpike road from Versailles, by Christopher's landing, to intersect the road from Harrodsburg to Frankfort, in a direction to Louisville.

The amendments to the last bill were concurred in.

A message was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State, announcing that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to incorporate a company to construct a turnpike road from Shelbyville to a point of intersection with the contemplated Rail Road near Christiansburg, in Shelby county.

An act for the benefit of the heirs of John Fouch.

An act appointing a commissioner to make conveyances in certain cases.

An act to fix the ratio and apportion the representation for the ensuing four years.

A resolution to appoint a joint committee to examine the surveys of the Kentucky river made by the State Engineer, and for other purposes.

An act to amend the law of bail in civil cases.

An act to incorporate a college in Shelbyville, Shelby county.

An act to incorporate a company to construct a turnpike road from Springfield to Maxville, and thence to intersect the Crab Orchard road at Harrodsburg.

An act to incorporate the Newport Lyceum.

An act to amend the charter of the Bardstown and Green river turnpike road company.

An act prohibiting the making and circulating drafts, checks and orders, as money, in this Commonwealth.

An act concerning the town of Bowlinggreen.

An act to incorporate the South Western Louisville turnpike road company.

An act to authorize a state road to be opened from Bloomfield, in Nelson county, to McCoun's ferry, in Mercer county.

An act to incorporate the Crab Orchard and Cumberland Gap turnpike company.

An act to repeal in part, an act amendatory of the several acts relating to the town of Newport, in Campbell county, approved 24th February, 1834, and also amendatory thereof.

An act to incorporate a company to construct a road from Cloverport to Hardinsburg.

An act to incorporate a company to turnpike the road leading from Elizabethtown to Bardstown, and for other purposes.

An act to incorporate a company to construct a turnpike road from Elizabethtown to Greensburg, by the way of Hodgenville and Summersville.

An act to amend the charter of the city of Covington.

An act to provide a sinking fund for the payment of the interest on loans for internal improvement, and for the final redemption of the principal of said loans.

An act to incorporate the Kentucky Mining Company.

An act for the benefit of the county of Jefferson.

Approved 29th February, 1836.

On the motion of Mr. McHenry, the vote was re-considered rejecting a bill to change the time of holding the court of assessment for the 35th Regiment Kentucky Militia.

Ordered, That the said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Thornton having obtained leave, reported a bill to authorize a subscription of stock in the South Frankfort Bridge Company.

Which was read the first time, and the question being taken on reading the said bill a second time, it was decided in the negative, and so the said bill was rejected.

Mr. James, from the committee, to whom was referred a bill from the House of Representatives, entitled, an act to authorize the building a Bridge across Big Mayfield's creek, at or near Daviess' old mill, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading having been dispensed with,

Resolved, That the said bill (as amended,) do pass, and that the title thereof be as aforesaid.

After a short time, a message was received from the House of Representatives, announcing that they had concurred in the said amendment.

Mr. Harreld having obtained leave, reported a bill to improve the navigation of Pond river, which was read the first time, and on the motion of Mr. Metcalfe, was laid on the table.

A message was received from the House of Representatives, requesting leave to withdraw the report from that House, announcing the passage of a bill from the Senate, entitled, an act for the distribution of Morehead's & Brown's digest, and Pirtle's digest.

The question being taken on granting leave to withdraw the said report, it was decided in the negative.

A message was received from the House of Representatives, announcing that they insisted on the amendments proposed by them to a bill from the Senate, entitled, an act to amend an act to establish the Louisville Chancery Court; and have appointed a committee of conference on their part, and request the appointment of a committee on the part of the Senate.

Whereupon, Messrs. Guthrie, Thornton and Woolley, were appointed a committee on the part of the Senate.

Mr. Guthrie having obtained leave, reported a bill authorizing an extension of the time for which the bonds of the State may be sold for the payment of stock in the Northern Bank of Kentucky.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Woolley, the committee of Education was discharged from the further consideration of all the business referred to them.

Mr. Guthrie, from the committee of Courts of Justice, to whom was referred the address and resolution from the House of Representatives, requiring the removal of Major I. Price, from the office of Justice of the Peace,

Reported the same, with the opinion of the committee that it ought to be adopted.

The said address and resolution are as follows, viz:

The committee of Courts of Justice have, according to order, investigated the charge contained in the memorial of sundry citizens of Logan county, to them referred, against Major I. Price, a Justice of the Peace for the county of Logan, and do report:

That upon or about the 12th of January last, the said Price went to the house of J. Addison, under pretext of renting the place on which he resided. He found Mrs. Addison alone and unprotected. In this situation, he made efforts to seduce her, accompanied by some violence of exertion on his part, which were repelled, and successfully resisted, by Mrs. Addison. His conduct was ungentlemanly, vulgar, and unworthy of an officer of the Commonwealth of Kentucky, whose official duty binds him to keep and preserve the peace, and whose obligations to society require at his hands a regard for the morals of the country.

The deposition of Mrs. Addison, in support of the charge, is herewith returned. It was proved by several witnesses, that Major I. Price has and still maintains a respectable character, and heretofore stood unimpeached with crime or offence, save occasional intemperance. The deposition of Mrs. Addison does not identify the man whom she describes as *Major I. Price*, and the accused, in presence of the committee, denied wholly the charge made by the witness. One witness, at the instance of Price, (Dr. Peebles,) in an answer to a question propounded by the committee stated, that Price had admitted to him that he was at the house of Addison on the day charged; but in same conversation denied that he offered Mrs. Addison any insult. He had enquired something of her, as to how many children she had, &c; that he had gone to rent the house, and when he saw one of the rooms, observed it was

dirty, too dirty, and he could not rent; Mrs. Addison became offended, and turned off from him.

The foregoing is a correct detail of the facts as developed to the committee. The character of Mrs. Addison stands unimpeached; her condition in life is humble, but respectable. Wherefore, the committee recommend the adoption of the following address to the Governor of this State—

TO JAMES T. MOREHEAD, ESQUIRE, *Lieutenant and acting Governor of the Commonwealth of Kentucky*: The General Assembly of the Commonwealth of Kentucky (two thirds of both Houses concurring in this address,) would respectfully state and charge, that Major I. Price, a Justice of the Peace in and for Logan county, then in commission, did, upon the 12th day of January, 1836, in the county of Logan, at the house and residence of J. Addison, attempt to seduce the wife of said Addison; and when repulsed, he persisted in his efforts by violent entreaty, vulgar appeal, and by the use of violence to such a degree as to alarm the said Amanda Addison, contrary to the peace and dignity of the Commonwealth, and against morality and decency: Wherefore,

Resolved, That the said Price be removed from his office of Justice of the Peace by the acting Governor of this Commonwealth.

The said Major I. Price was heard by his counsel at the bar of Senate.

The question being taken on the adoption of the said address and resolution, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Willis and Woolley, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Carter, Gilbert, Guthrie, Hanson, James, Jessup, Lusk, McDonald, McHenry, May, Metcalfe, Miller, Parker, Patterson, Smith, Southgate, Thornton, Watkins, Woolley, A. Young and S. Young—23.

NAYS—Messrs. Bramlette, Coffey, Daviess and Willis—4.

Ordered, That Mr. Guthrie inform the House of Representatives thereof.

Messrs. Guthrie, Woolley and Metcalfe, were appointed a committee on the part of the Senate to lay the said address before the Lieutenant and acting Governor.

The Senate took up a bill from the House of Representatives, entitled, an act concerning the roads west of the Tennessee river, and the amendments thereto proposed by the Senate.

Mr. James moved that the Senate insist on their amendments.

Mr. Boyd moved to lay the said bill and amendments on the table.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hanson and Boyd, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Daviess, Gilbert, Guthrie, Jessup, Lusk, Metcalfe, Morehead, Parker, Patterson, Southgate, Thornton, Watkins and A. Young—15.

NAYS—Messrs. Bramlette, Carter, Coffey, Hanson, James, McDonald, May, Smith, Willis, Woolley and S. Young—11.

A message, in writing, was received from the Lieutenant and acting Governor, by Mr. Cox.

The rule of the Senate having been dispensed with, the said message was taken up, and read as follows, viz:

Gentlemen of the Senate:

I nominate for your advice and consent, Harrison Blanton, to be Agent or Commissioner, and Moses B. Morrison and James Shannon, to be Directors of the old Bank of Kentucky.

George Keats, Robert J. Ward and Augerau Gray, to be Directors of the Bank of Kentucky.

Henry Owsley, John L. Blaine, Thomas S. Page and Jacob Swigert, to be securities of James Davidson, Treasurer of the State of Kentucky.

William M. Samuel, to be Lt. Col. of the 14th Regiment, in place of Charles F. Lander, resigned.

William Cogswell, to be Major of the 20th Regiment, in place of Wm. Lowell, resigned.

James M. Rice, to be Major the 14th Regiment, in place of W. M. Samuel, if promoted.

James Pryor, to be Judge of the 4th Judicial District, in place of Tho. P. Wilson, resigned.

William Owsley, to be President, and James R. Skiles of Warren, Samuel Daviess of Mercer, and James Shelby of Fayette, to be members of the Board of Internal Improvement of the State of Kentucky.

Wm. Wright Southgate, to be Mayor of the city of Covington.

John B. Lindsey, to be Mayor of the town of Newport.

Austin P. Cox, to be Secretary of State, in place of W. Owsley, resigned.

J. T. MOREHEAD.

February 29, 1836.

Resolved, That the Senate advise and consent to the said appointments, and approve of the said securities of James Davidson, Treasurer.

Ordered, That Mr. Carter inform the Lieutenant and acting Governor thereof.

The Senate took up a bill from the House of Representatives,

entitled, an act to allow an additional Justice of the Peace to Lincoln county, with the amendments proposed by the Senate thereto.

Resolved, That the Senate recede from their amendments with amendments.

After a short time, a message was received from the House of Representatives, announcing that they had concurred in the said amendments.

The Senate took up a bill from the House of Representatives, entitled, an act further to regulate the Board of Internal Improvements, for the counties west of the Tennessee river, with the amendment thereto proposed by the Senate.

Mr. Guthrie moved that the Senate, recede from their amendments.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. James and Hanson, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Bramlette, Carter, Daviess, Guthrie, Hanson, Lusk, Metcalfe, Miller, Patterson, Roberts, Southgate, Thornton, Watkins, Woolley and S. Young—16.

NAYS—Messrs. Boyd, Coffey, James, McHenry, Morehead, Parker, Smith, Willis and A. Young—9.

Mr. McHenry read and laid on the-table the following resolutions, viz:

Resolved by the Senate and House of Representatives of the Commonwealth of Kentucky, That the Principal Engineer of the State, be requested to make a survey of the route, which is delineated upon the maps recently constructed from his reconnoissances, between the Three Forks of Kentucky river, and the State line at Cumberland Gap; and also, that said survey embrace the South Fork of Cumberland river, with a view to ascertain whether it would be practicable to connect the navigation of Kentucky and Cumberland rivers by a canal; and also, with a view of ascertaining the practicability of extending a communication so as to connect with Powell's river, or Clinch river in the State of Tennessee. Said Engineer to report the same to the next Legislature, within ten days after the commencement of the session.

Resolved further, That the acting Governor of this Commonwealth be requested to transmit a copy of this resolution to the Executive of Tennessee, with a request that an Engineer be appointed by that State to meet the Engineer herein appointed, and to act with him in relation to the interests of said State, in said surveys.

Mr. McHenry moved that the rule of the Senate be dispensed, and it was decided in the negative.

A message was received from the House of Representatives,

announcing that they had passed bills from the Senate, of the following titles, viz:

An act to change the time of holding the court of assessment for the 35th Reg't. of Ky. Militia.

An act authorizing an extension of the time for which the bonds of the state may be sold for the payment of stock in the Northern Bank of Kentucky.

And that they had passed a bill, entitled, an act for the appropriation of money.

The said bill was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to a committee of the whole House, on the State of the Commonwealth.

Whereupon, the Senate resolved itself into a committee of the whole House, Mr. Southgate in chair. After some time spent therein, the Speaker resumed the chair, when Mr. Southgate reported that the committee had, according to order, had under consideration the said bill, and had gone through the same, and made amendments thereto, which he handed in at the clerk's table.

The said amendments were twice read and concurred in.

Ordered, That the said bill be read a third time, as amended.

The rule of the Senate, constitutional provision, and third reading having been dispensed with,

Resolved, That the said bill (as amended) do pass, and that the title thereof be as aforesaid.

After a short time, a message was received from the House of Representatives, announcing that they had concurred in the said amendments.

The amendments proposed by the House of Representatives, to a bill from the Senate, entitled, an act to appoint trustees to the Public Library, was twice read.

The question being taken on concurring therein, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Woolley and Parker, were as follows, viz:

YEAS—MR. SPEAKER, MESSRS. Carter, Daviess, Gilbert, Hanson, McHenry, Metcalfe, Smith, Southgate, Woolley and S. Young—11.

NAYS—Messrs. Boyd, Bramlette, Coffey, May, Miller, Parker, Patterson, Thornton, Willis and A. Young—10.

The amendments proposed by the House of Representatives, to a bill from the Senate, entitled, an act to incorporate a company to construct a turnpike road from Versailles by Christopher's land-

ing, to intersect the road from Harrodsburg to Frankfort, in a direction to Louisville, were twice read and concurred in.

The amendments proposed by the House of Representatives, to a bill from the Senate, entitled, an act to continue in force an act, entitled, an act to improve the navigation of Big Sandy river, were twice read and disagreed to.

After a short time a message was received from the House of Representatives, announcing that they had receded from their said amendments.

A bill from the House of Representatives, entitled, an act making an appropriation to build a Bridge across Floyd's Fork of Salt river in Bullitt county, was taken up, amended, and ordered to be read a third time.

The rule of the Senate, constitutional provision, and third reading having been dispensed with.

Resolved, That the said bill (as amended) do pass, and that the title thereof be as aforesaid.

The yeas and nays being required on the passage of the said bill by Messrs. Metcalfe and Miller, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bramlette, Coffey, Guthrie, McHenry, May, Parker, Smith, Watkins and Willis—11.

NAYS—MESSRS. DAVIESS, Gilbert, Jessup, Lusk, Metcalfe, Miller, Patterson, Southgate, Woolley and A. Young—10.

After a short time, a message was received from the House of Representatives, announcing that they had concurred in the said amendment.

A message was received from the House of Representatives, announcing that they had disagreed to a bill from the Senate, entitled, an act to improve the State Arsenal.

Mr. Coffey moved to take up a bill for the improvement of the road from Stanford to Columbia.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Coffey and Willis, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Boyd, Bramlette, Coffey, Daviess, Gilbert, Hanson, Jessup, Lusk, McHenry, May, Morehead, Parker, Patterson, Smith, Southgate, Willis and A. Young—18.

NAYS—Messrs. Carter, Miller, Thornton and Watkins—4.

The said bill was amended and ordered to be engrossed and read a third time to-morrow.

The preamble and resolutions from the House of Representatives respecting abolition societies, were twice read and concurred in.

Mr. Morehead, from the committee of Enrolments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Anten Conder.

An act incorporating the South Frankfort Bridge Company.

An act for the benefit of Benjamin Craig.

An act for the benefit of Abner Pepper.

An act for the benefit of Hannah Hall.

An act to reduce the number of justices of the peace and constables in Adair county.

An act to establish a State road from the mouth of Troublesome creek to the Sounding Gap of Cumberland Mountain.

An act respecting the Bank of the Commonwealth.

An act regulating the time of holding the county court of Livingston county.

An act to provide for the appointment of patrollers in this Commonwealth.

An act to change the Maysville election precinct, and for other purposes.

An act to alter the tax on wholesale and retail stores and groceries.

An act allowing Samuel Graves a change of venue.

An act to incorporate the Dover and Minerva turnpike road company.

An act for the benefit of the heirs of Lucy N. Fishback, and to authorize William R. Griffith to sell and convey certain lands.

An act for the benefit of the Robertson seminary.

An act for the benefit of the law department of Transylvania University.

An act to reduce the number of justices of the peace in Bullitt county.

An act for the benefit of Margaret Bogus.

An act for the benefit of Lewis and Greenup counties.

An act for the benefit of Abigail Linney.

An act to authorize the county courts of Jessamine, Woodford, Warren and Mercer counties, to sell their poor houses.

An act for the benefit of Mary Lightfoot.

An act to amend an act entitled, an act to incorporate the Winchester and Lexington turnpike company.

An act for the benefit of Aaron Allison.

An act to change the name of William McNutt.

An act for the benefit of William Tuggle's devisees and heirs.

An act for the benefit of Joseph Clarke, late sheriff of Franklin county.

An act to incorporate the Richmond and London turnpike road company.

An act to incorporate the Bardstown Female Academy.

An act respecting the town of Burlington.

An act to incorporate the Georgetown accommodation company.

An act to regulate the town of Falmouth, in Pendleton county.

An act to incorporate the Louisville, Nashville and Knoxville rail road company.

An act for the benefit of Stephen Peyton's heirs, and others.

An act to establish the town of Hustonsville, in Lincoln county, and for other purposes.

An act for the benefit of Israel Rose.

An act to incorporate the Owingsville, Sharpsburg and Paris turnpike road company, and for other purposes.

An act to incorporate a turnpike road company from the Poplar Plains, in Fleming county, to Louisa, in Lawrence county.

An act to change the place of voting in the Harrison and Licking precinct in Bath county.

An act to change the present mode of summoning jurors in this Commonwealth, and to provide for their compensation.

An act to incorporate the Taylorsville and Harrodsburg turnpike road company, and for other purposes.

An act to amend the penal laws, and to authorize certain improvements within the walls of the Penitentiary.

An act to establish the town of Barnettsville, in Hart county.

An act to allow an additional justice of the peace to the county of Lincoln, and for other purposes.

Mr. James, from the same committee, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act authorizing the running and marking the dividing line between the counties of Jefferson and Bullitt.

An act concerning the town of New Market, in Marion county.

An act to change the place of voting in the Cedar precinct, in Owen county.

An act to change the places of voting in certain election precincts in Christian and Logan counties.

An act for the benefit of Nicholas M. Ferguson and Harriet Ferguson.

Mr. Watkins, from the same committee, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act defining the powers and duties of the Board of Internal Improvements, and for other purposes.

An act to incorporate the Clarke and Madison Bridge Company.

An act to incorporate the owners of the Mansion House Hotel in the town of Frankfort, and the Phoenix Hotel in Lexington.

An act to incorporate the Portland Dry Dock and Insurance Company.

An act to incorporate the Franklin Fire and Marine Insurance Company of Louisville.

An act changing the time of electing trustees for the town of Paducah.

An act to provide for the management of the Louisville Marine Hospital.

An act for the benefit of heirs of Elizabeth Logan.

An act for the benefit of George Davis.

An act for the benefit of Catharine Anderson.

An act for the benefit of the heirs of John R. Nelson, dec'd.

An act for the benefit of the widow and heirs of Thomas Wood.

An act concerning the Grand Lodge of Kentucky.

An act to change the time of holding the Owen circuit court. and for regulating the terms of the Fayette circuit court.

An act for the benefit George Ann Vincent.

An act the better to protect the proprietors of ferries across the Ohio river.

That the said bills had been signed by the Speaker of the House of Representatives.

Whereupon, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, Messrs. Morehead, James and Watkins, reported that the committee had performed that duty.

Mr. Morehead, from the committee of Enrolments, reported that the committee had examined the address and resolution requiring the removal of Major I. Price from the office of Justice of the Peace.

And had found the same truly enrolled.

That it had been signed by the Speaker of the House of Representatives.

Whereupon, the Speaker of the Senate affixed his signature thereto, and it was delivered to the joint committee appointed for that purpose, to lay the same before the Lieutenant and acting Governor.

After a short time, Mr. Guthrie from the said committee, reported that the committee had performed that duty.

Messrs. A. Young, and Willis were added to the committee of Enrolments.

And then the Senate adjourned, until seven o'clock to-morrow morning.

TUESDAY, MARCH 1, 1836.

On the motion of Mr. Guthrie—

Ordered, That a message be sent to the Lieutenant and acting Governor, requesting leave to withdraw the report that the Senate had advised and consented to the appointment of James Shelby, of Fayette, as a member of the Board of Internal Improvement.

Mr. Guthrie was directed to carry the said message.

On the motion of Mr. Guthrie the vote was re-considered advising and consenting to the said appointment.

A message in writing was received from the Lieutenant and acting Governor, by Mr. Cox, Secretary of State.

The rule of the Senate having been dispensed with, the said message was taken up, and read as follows, viz:

Gentlemen of the Senate:

I beg leave to withdraw the nomination, made on yesterday, of James Shelby, of Fayette, as a member of the Board of Internal Improvement of the State of Kentucky:—

And should it be withdrawn, I nominate for your advice and consent, John L. Hickman of Bourbon, for the same office.

JAMES T. MOREHEAD.

I take leave to say to the Senate, that when the nomination of General Shelby was made yesterday, it was believed that he was not absent from Kentucky. I am informed now, that he is, and that he may not return for several weeks. Deeming it of great importance that the Board of Internal Improvement should be organized without delay, and fearing that that object may be disappointed, I have requested the nomination of General Shelby, to be withdrawn for that reason alone.

JAMES T. MOREHEAD.

Resolved, That leave be given to withdraw the said nomination of James Shelby, and the Senate advise and consent to the appointment of John L. Hickman, as a member of the Board of Internal Improvement.

Ordered, That Mr. Thornton inform the Lieutenant and acting Governor thereof.

A message was received from the House of Representatives, announcing the passage of a bill from the Senate, entitled, an act for the benefit of Bernard Vanderen.

And that they had received official information that the Lieutenant and acting Governor had approved and signed enrolled bills which originated in that House, of the following titles, viz:

An act to incorporate a company to construct a turnpike road from Porter's ferry, through Burlington, to the Covington and Lexington turnpike road.

An act for the benefit of Thomas S. Ellison.

An act to amend the charter of the Louisville turnpike company.

An act to amend the several acts of the General Assembly in relation to the Deaf and Dumb Asylum at Danville.

An act to amend an act, entitled, an act to incorporate the Covington and Cincinnati Manufacturing Company.

An act to regulate the proceedings of a court of assessment of the 34th Regiment of Kentucky Militia, and for other purposes.

An act to amend an act, entitled, an act to incorporate the Glasgow and Munfordsville turnpike company.

An act appointing a commissioner on the Georgetown and Cincinnati road.

An act to change the name of Williamsburg, in Mason county.

An act to regulate the Hay Market in Shelbyville, and for other purposes.

An act to change the place of voting in the Harrison and Licking precinct, in Bath county.

An act to incorporate the Louisville, Cincinnati and Charleston Rail Road Company.

An act to incorporate the Versailles, Midway and Georgetown turnpike company.

An act for the benefit of James Ramey.

An act for the benefit of the administratrix and heirs of John Hawkins, deceased.

An act subjecting to county levy, in the counties of Caldwell and Livingston, all slaves that may each year hereafter be hired or otherwise introduced into said counties.

An act to amend an act approved 22d December, 1831, entitled, an act to incorporate the Green River Rail Road Company.

An act extending for a certain period and with certain limitations, the charter of the old Bank of Kentucky.

An act to amend the charter of the Shepherdsville and Elizabethtown turnpike road company.

An act to authorize county courts to appoint constables and magistrates.

An act to incorporate the Paris, North Middletown and Mountsterling turnpike road company.

An act for the benefit of Mary E. Stansbury.

An act to incorporate the Springfield, Perryville and Danville turnpike road company.

An act to incorporate the Newcastle Female Academy, and for other purposes.

Approved 29th February, 1836.

A message in writing was received from the Lieutenant and acting Governor, by Mr. Cox, Secretary of State.

The rule of the Senate having been dispensed with, the said message was taken up, and read as follows, viz:

Gentlemen of the Senate:

I nominate, for your advice and consent, James S. Henderson, to be Attorney for the Commonwealth in the 15th Judicial District, in place of Frank Ballinger, resigned.

James Taylor, to be Police Judge of Harrodsburg.

JAMES T. MOREHEAD.

March 1, 1836.

Resolved, That the Senate advise and consent to the said appointment of James Taylor, as Police Judge of Harrodsburg.

Ordered, That Mr. Daviess inform the Lieutenant and acting Governor thereof.

The said nomination of James S. Henderson was laid on the table.

The committee of Enrolments, reported that they had examined enrolled bills and resolutions of the following titles, and had found the same truly enrolled, viz:

An act providing for a change of venue in the case of John U. Waring.

An act to incorporate the Campbell county Silk Culture and Manufacturing Company.

An act for the benefit of Richard Hazle.

An act concerning the Auditor's and Treasurer's offices.

An act to incorporate the Lexington Fire, Life and Marine Insurance company.

An act authorizing the extension of the time for which the bonds of the state may be sold for the payment of stock in the Northern Bank of Kentucky.

An act to remove the obstructions out of Pond river, and other streams.

An act directing the manner in which the stock of the Commonwealth in incorporated companies for works of internal improvement, shall be voted.

An act to change the time of holding the court of assessment for the 35th Regiment Kentucky Militia.

An act for the distribution of Morehead and Brown's Digest, and Pirtle's Digest.

An act to provide for the instruction of the convicts in the Penitentiary.

An act to continue in force an act entitled, an act to improve the navigation of Big Sandy river, approved 22d Feb. 1834.

An act to amend an act entitled, an act regulating the mode of settling accounts of executors, administrators and guardians.

An act to protect the actual settlers west of the Tennessee river.

An act to incorporate the McChord Church Session and Trustees.

An act to authorize the clerk of Woodford county to record all deeds, which were not recorded in said office at the time of the death of the late clerk.

An act providing further compensation for killing wolves in this Commonwealth.

An act for the benefit of Jeremiah Dobson and Aaron P. Hodges, of the county of Calloway.

A resolution for printing the titles of the acts of the present session.

An act for the benefit of Nancy Dupcan.

An act for the benefit of George P. Jouitt and others.

An act for the benefit of John P. Porter, and the heirs and securities of Reuben Adams, and R. P. Parker and securities.

An act for the benefit of the settlers west of the Tennessee river.

An act extending the powers of the city authorities and trustees of towns, in this Commonwealth.

An act to incorporate a company to construct a turnpike road from Frankfort to Ghent, by way of Owenton and New Liberty, and to incorporate a company to construct a turnpike road from Georgetown to Warsaw, by way of Stampingground and Owenton.

An act to incorporate the towns of Harrodsburg and Danville.

An act to construct a bridge across Chaplin's Fork, at or near Hobbs' mill, in Washington county.

An act to appoint trustees of the public library.

An act legalizing the appointment of an agent to wind up the concerns of the late Farmers' Bank of Harrodsburg.

An act to incorporate a company to construct a turnpike road from Versailles, by Christopher's landing, to intersect the road from Harrodsburg to Frankfort, in a direction to Louisville.

An act to improve the road leading from Cumberland Ford to Mount Pleasant, in Harlan county.

An act for the benefit of the town of Lafayette, in the county of Christian.

A resolution in relation to the navigation of the Cumberland river below Clarksville.

The said bills and resolutions had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor, for his approbation and signature.

After a short time, the committee reported that they had performed that duty.

After some time, a message was received from the Lieutenant and acting Governor, by Mr. Cox, Secretary of State, announcing that he had approved and signed the said bills and resolutions.

A message was received from the Lieutenant and acting Governor, announcing that he had approved and signed enrolled bills of the following titles, viz:

An act for the benefit of Anten Conder.

An act incorporating the South Frankfort Bridge Company.

An act to incorporate the Portland Dry Dock and Insurance Company.

An act for the benefit of George Ann Vincent.

An act to change the time of holding the Owen circuit court, and for regulating the terms of the Fayette circuit court.

An act concerning the Grand Lodge of Kentucky.

An act for the benefit of the widow and heirs of Tho. Wood.

An act for the benefit of the heirs of John R. Nelson, dec'd.

An act for the relief of Catharine Anderson.

An act for the benefit of Elizabeth Logan's heirs.

An act for the benefit of George Davis.

An act to provide for the management of the Louisville Marine Hospital.

An act changing the time of electing trustees for the town of Paducah.

An act to incorporate the Franklin Fire and Marine Insurance Company of Louisville.

An act the better to protect the proprietors of ferries across the Ohio river.

Approved 29th February, 1836.

The committee of Enrolments reported that the committee had examined enrolled bills and resolutions of the following titles, and had found the same truly enrolled, viz:

Resolutions respecting abolition societies.

An act for the appropriation of money.

An act for building a bridge across Russell's creek in Adair county.

An act further to regulate the boards of internal improvement for the counties west of the Tennessee river.

An act to authorize the building of a bridge across Big Mayfield's creek, at or near Daviess' old mill.

An act to authorize the construction of a bridge over Buck Creek in Pulaski county.

An act concerning the public arms.

An act to incorporate the Bardstown and Bloomfield turnpike road company.

An act to authorize the taking of depositions of certain officers of this Commonwealth, and the officers of Banks, to be read in chief in common law suits.

An act for the benefit of Amelia Allen.

An act for the benefit of Isaac King, of Whitley county.

An act for the benefit of Henry Hall.

An act to incorporate the Princeton and Ohio turnpike road company, and for other purposes.

An act for the benefit of the children of Bernard Vanderen.

An act allowing Lewis Adams a change of venue.

An act to authorize the improvement of the hill at Mill's Point, on the Ohio river.

An act for the benefit of the administrator and heirs of Joseph L. McGee, dec'd.

An act to incorporate the Paris Rail Road Company.

An act to authorize the citizens of Lexington to vote upon the question of a repeal of their charter.

An act to extend the powers of the trustees of the town of Winchester, and for other purposes.

An act making an appropriation to build a bridge across Floyd's fork of Salt river, in Bullitt county.

An act to incorporate the Covington Hotel Company.

An act to incorporate the Lexington Fuel Company.

The said bills and resolutions had been signed by the Speaker of the House of Representatives.

Whereupon, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Lieutenant and acting Governor for his approbation and signature.

After a short time, the committee reported that they had performed that duty.

After some time, a message was received from the House of Representatives, announcing that they had received official information, that the Lieutenant and acting Governor had approved and signed the said bills and resolutions.

A message was received from the House of Representatives, announcing that they had received official information that the Lieu-

tenant and acting Governor had approved and signed bills which originated in that House, of the following titles, viz:

An act to change the Maysville election precinct, and for other purposes.

An act to alter the tax on wholesale and retail stores and groceries.

An act for the benefit of Abner Pepper.

An act for the benefit of Hannah Hunter.

An act for the benefit of Benjamin Craig.

An act to reduce the number of justices and constables in Adair county.

An act to establish the town of Hustonsville in Lincoln county, and for other purposes.

An act to incorporate the Standford and Lancaster Turnpike road Company.

An act to incorporate a turnpike road company from the Poplar Plains in Fleming county, to Louisa in Lawrence county.

An act to change the present mode of summoning jurors in this Commonwealth, and to provide for their compensation.

An act for the benefit of Elizabeth Hinds.

An act for the benefit of Amelia Baber.

An act regulating the time of holding the county court of Livingston county.

An act to provide for the appointment of patrollers in this Commonwealth.

An act to incorporate the Louisville, Nashville and Knoxville Rail Road Company.

An act to regulate the town of Falmouth in Pendleton county.

An act to incorporate the Georgetown accommodation company.

An act respecting the town of Burlington.

An act incorporating the Bardstown Female Academy.

An act to incorporate the Richmond and London turnpike road company.

An act for the benefit of Joseph Clarke, late sheriff of Franklin county.

An act for the benefit of William Tuggles' devisees and heirs.

An act to change the name of William McNutt, to that of William Basye.

An act for the benefit of Aaron Allison.

An act to amend an act, entitled, an act to incorporate the Winchester and Lexington turnpike company.

An act to authorize the county courts of Jessamine, Woodford, Warren and Mercer counties, to sell their poor houses.

An act for the benefit of Mary Lightfoot.

An act for the benefit of Abigail Linney.

An act for the benefit of Greenup and Lewis counties.

An act for the benefit of Margaret Bogus.

An act to reduce the number of justices of the peace in Bullitt county.

An act for the benefit of the Robertson Seminary.

An act for the benefit of the legal department of Transylvania University.

An act for the relief of the heirs of Lucy N. Fishback, and to authorize William R. Griffith to sell and convey certain lands.

An act to incorporate the Dover and Minerva turnpike road company.

An act to allow Samuel Graves a change of venue.

An act for the benefit of Israel Rose.

An act to incorporate the Owingsville, Sharpsburg and Paris turnpike road company.

An act for the benefit of Stephen Peyton's heirs, and others.

An act concerning the town of Newmarket, in Marion county.

An act authorizing the running and marking the dividing line between the counties of Jefferson and Bullitt.

An act to change the places of voting in certain election precincts in the counties of Christian and Logan.

An act for the benefit of Nicholas M. Ferguson and Harriet Ferguson.

An act to change the place of voting in the Cedar precinct in Owen county.

An act to incorporate the Taylorsville and Harrodsburg turnpike road company, and for other purposes.

An act to amend the penal laws, and to authorize certain improvements within the walls of the Penitentiary.

An act to establish the town of Barnettsville, in Hart county.

An act to incorporate the owners of the Mansion House Hotel, in the town of Frankfort, and the Phoenix Hotel, in Lexington.

An act to incorporate the Clarke and Madison Bridge Company.

An act to allow an additional justice of the peace to Lincoln county, and for other purposes,

Report and resolutions requiring the removal of Major I. Price from the office of justice of the peace.

Approved February 29, 1836.

Ordered, That a message be sent to the House of Representatives, informing them, that the Senate having finished the Legislative business before them, are now ready to adjourn without day, and that Mr. Guthrie carry the said message.

A message was received from the House of Representatives, announcing that they had finished their legislative business, and were now ready to adjourn without day; and that they had appointed a committee on their part, to wait on the Lieutenant and acting Governor, and inform him of the intended adjournment of the

General Assembly, and to know whether he had any further communication to make.

Whereupon, Messrs. Daviess, Guthrie and Watkins were appointed a committee on the part of the Senate.

Ordered, That Mr. Daviess inform the House of Representatives thereof.

The committee retired, and after a short time returned, when Mr. Guthrie reported that they had performed the duty assigned them, and were informed by the Lieutenant and acting Governor, that he had no further communications to make.

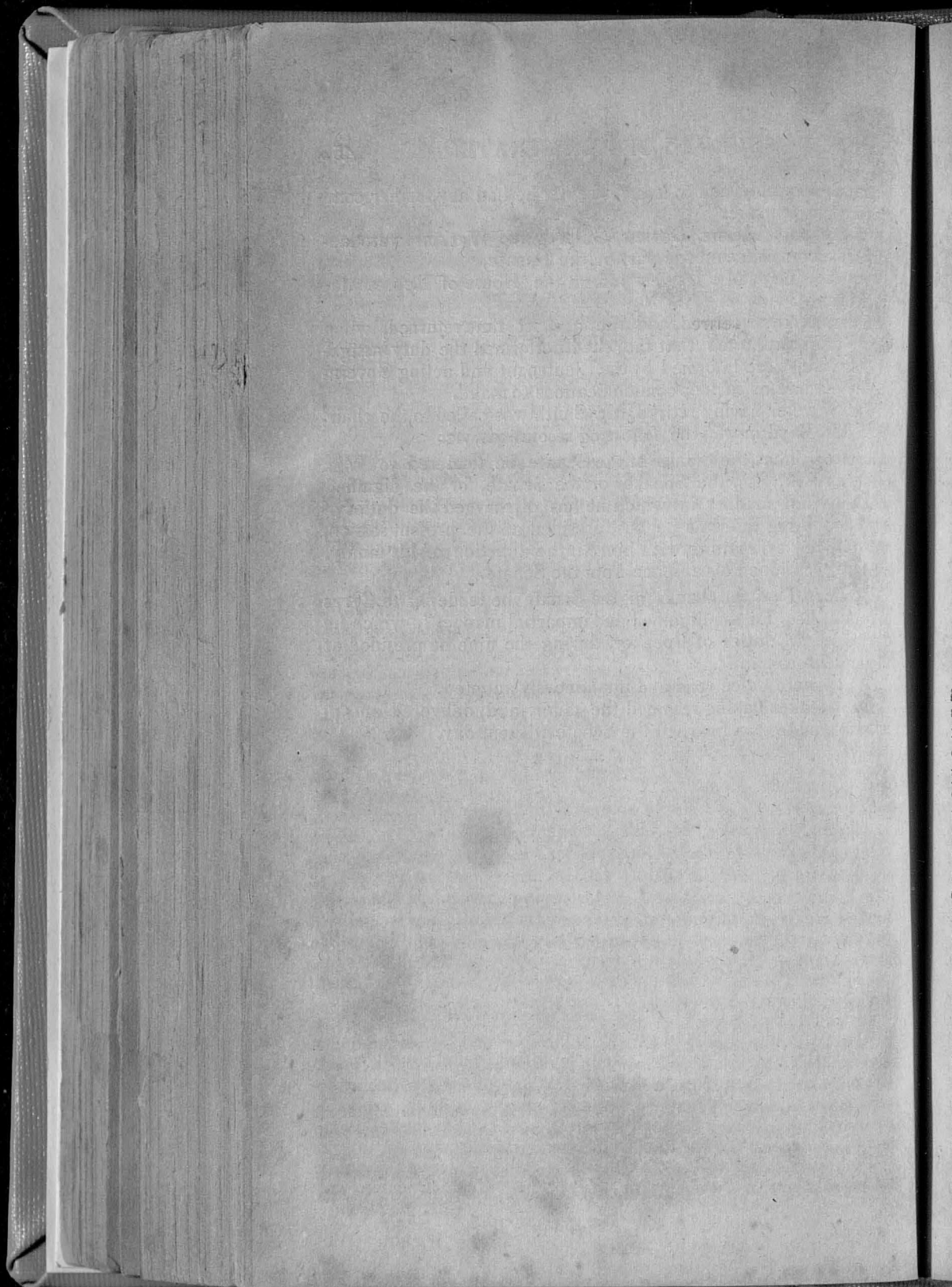
The Speaker having retired, Mr. Smith was called to the chair, when Mr. Boyd moved the following resolutions, viz:

Resolved, That the thanks of the Senate be tendered to Wm. B. Blackburn, Esq. the Speaker of the Senate, for the dignified and impartial manner in which he has discharged the duties of Speaker, during the time he has presided at the present session, and that they sympathise with him in the affliction of his family, that has occasioned his absence from the Senate.

Resolved, That the thanks of the Senate be tendered to Cyrus Wingate, Esq. for the dignified and impartial manner in which he discharged the duties of Speaker, during the time he presided at the present session.

Which were twice read and unanimously adopted.

The Speaker having resumed the chair, and delivered an appropriate address, adjourned the Senate without day.



APPENDIX TO SENATE JOURNAL.

REPORT

OF THE

Board of Internal Improvement.

The Board of Internal Improvement would respectfully report to the General Assembly of Kentucky:

That shortly after the adjournment of the last legislature, they organized themselves, and proceeded to the discharge of the duties assigned them. Regarding the appointment of a suitable engineer as the first business of importance, their attention was first directed to that object; and after making satisfactory enquiries, they tendered the appointment of principal engineer to Mr. Stealey, a gentleman of high character in Pennsylvania, and that of assistant to N. B. Buford, Esq. then in the service of the United States, as one of the professors in the military academy at West Point. The former gentleman declined the appointment; and the board then appointed Maj. R. P. Baker, who some time in the month of August entered into the service of the state. Considering the large sums contingently appropriated by the law of the last session, for the improvoment of the navigation of the principal rivers, therein mentioned, the board regarded it their duty to direct satisfactory examinations and surveys to be made of them; and accordingly, the engineers were thus engaged, during the fall months—that being the only season when the stage of water justified their being made.

In the month of September the principal engineer was directed to proceed from some eligible point on the Rockcastle river, to examine the condition of that river, and its susceptibilities for improvemnt. From the confluence of that river, with the Cumberland, he visited the latter at Barboursville, with the view of forming an opinion of the probability of connecting it with the head waters of the Kentucky, and of ascertaining the productions and resoures of the adjacent country.

The assistant engineer, in the mean time, was engaged in examining the impediments to the navigation of the upper Kentucky river, and

contracting for their removal, as provided for by the act of the last session, appropriating the sum of five thousand dollars for that purpose. The judicious expenditure of that sum will be advantageously felt in the additional facilities which it has contributed to the navigation of that river, to a distance of three hundred and fifty miles from its mouth. His report, and a sheet of drawings, are herewith transmitted.

About the 20th day of September the engineers repaired to the mouth of the Kentucky river, and commenced the survey of it, for the purpose of ascertaining its adaptation for slack water improvement. The examination was carefully made, and was completed to Frankfort, when the rise of the water prevented its continuance. The result of the survey—the opinion of the engineer as to the practicability of the proposed improvement of its navigation—the plans and the estimates of the cost, will be found embodied in his report, which, with his maps and profiles, are herewith communicated; and to which, the attention of your honorable body, is earnestly requested. The importance which is properly attached to the project of rendering the navigation of the Kentucky river perpetual during the whole year, requires, in this place, no labored illustration. But the board will avail itself of this first opportunity of addressing the legislature, to offer their views upon the subject—views which are the result of their mature reflection—with the hope that they may not be without some influence in leading to conclusions connected with the permanent welfare and interests of the state.

1. The first question which presents itself, is, as to the practicability of converting the Kentucky river into an artificial canal, suitable for navigation of steam boats, keel and flat boats, and rafts, every day of the year.

2. The second enquiry is, as to the expediency of such an improvement, or in other words, whether the advantage to be derived from it would justify the expenditure.

1. Is it practicable?

The opinion of the engineers, now in the employment of the state, who have examined the river, with that object expressly before them, are wholly favorable. Experienced engineers of other states, to whom the subject has been submitted, concur in the opinion. The practice and experience of those states who have resorted, with entire success to that mode of improvement, and the board would very respectfully suggest, as the result of all their reflection and information, that it can no longer be regarded as an experiment.

2. Then, what are the advantages to arise from the application of that plan, to the great rivers of Kentucky, which would seem not only to justify, but to call for the expenditure of the money necessary to accomplish the purpose?

The board will assume it that the policy of improving the internal condition of the state, is now the settled policy of the legislature. It is also supposed, that such modes of improvement will be preferred and adopted, as are most suitable to the wants and condition of the several portions of the commonwealth; and the law of the last session, for internal improvement, would seem sufficiently to indicate the legislative

intention and preference as to the manner in which the improvements are to be directed.

From its sources, to its junction with the Ohio, the Kentucky river passes through a fine country for more than four hundred miles in extent. The counties immediately bordering on it are Perry, Clay, Estill, Madison, Clarke, Fayette, Jessamine, Garrard, Mercer, Woodford, Anderson, Franklin, Henry, Owen and Gallatin, furnishing a population, according to the census of 1830, of one hundred and sixty-seven thousand, two hundred and sixty-nine. The productions of those counties, and of others contiguous and tributary to it, are chiefly agricultural; but several of them contain inexhaustible resources of coal, iron, salt and lumber. Turning our attention for a moment to profitable markets for those latter articles, we find them along the whole line of the river, and more especially in the great commercial emporium of Kentucky, the flourishing city of Louisville. The board would very respectfully submit the following statement, derived from a source of much respectability and intelligence, of the value of those articles, consumed annually in that city, and imported, almost exclusively, from other states:

Estimates of the quantity and value of the lumber, coal, iron and salt which is annually purchased for consumption or re-production in the City of Louisville.

LUMBER.

Pine boards, from the state of New York, 10,000,000 feet, board measure, c. \$8 50,	\$85,000
Shingles, from the state of New York, 10,000,000, from \$1 75 to 2,00, per thousand,	18,000
Pine and oak timber, 240,000 cubic feet,	16,000
Joists, scantling, cherry, &c.	6,000
Joists, scantling, &c. made at the Louisville mills, from logs brought down the Ohio river,	45,000
Cedar logs from the Kentucky river,	2,500
	<hr/>
First cost value,	\$172,500

AMERICAN SALT.

	COST.	VALUE.
600,000 bushels imported,	35 cents.	\$110,000
120,000 bushels, landed to re-ship,	35 cents.	42,000

480,000 bushels, sold or consumed,	\$68,000	\$68,000
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FOREIGN SALT.

62,500 bushels, sold or consumed in Louisville,	46,875
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Total,	\$114,875
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IRON CASTINGS.

From Kentucky,	250 tons,	c. \$60	\$15,000
From Ohio,	500 tons,	c. 60	30,000
From Pennsylvania,	220 tons,	c. 100	22,000
	970		67,000
	170 re-shipped,		10,200
	800 consumed or sold,		\$56,800

PIG METAL.

From Kentucky, &c.	1000 tons,	c. \$30	30,000
			\$86,800

WROUGHT IRON.

From Kentucky,	100 tons,	c \$100	\$10,000
From Ohio,	150 tons,	c. 100	15,000
From Pennsylvania,	800 tons,	c. 100	80,000
	1050		105,000
	250 re-shipped,		25,000
	800 consumed or sold,		\$80,000

COAL.

From Pittsburg,	300,000 bushels,	c. 11 cents,	\$33,000
From Wheeling and Ohio,	50,000 bushels,	c. 9 cents,	4,500

Total consumed,	300,000		\$37,500
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NOTE.—It is the opinion of an experienced and intelligent dealer in the article, that the domestic alum salt now made at most of our domestic establishments, can be sold so low as to throw the foreign salt out of the market in a year or two.

NOTE.—The \$30,000 worth of pig metal, which is imported into the city of Louisville, is there worked into machinery at an improved value of about \$120,000—making it worth \$150,000.

Although the foregoing estimates may not be deemed entirely accurate in every particular, still they are represented to contain a reasonable degree of correctness, and it may be asserted, without any hazard, that the consumption of each article will increase at the rate of 25 per cent. per annum. It may be safely anticipated, therefore, that the market of the city of Louisville, alone, can be supplied with salt, iron, coal and lumber, equal in value, to a million of dollars annually. Those articles can be produced within our own borders, and will necessarily be transported down the Kentucky river. They are now brought there chiefly from Ohio, Pennsylvania and Virginia: and few, if any of the supplies are furnished by the labor and capital of our own citizens. Although it may be regarded as a small consideration, compared with the great purpose of rousing the dormant wealth of the state, yet it is no less true, that the importation of those articles from adjoining states,

operates as a drain of our specie circulation, and is equal to a loss to Kentucky, of a half per cent annually, in the whole amount sold in the business of exchange. If our own citizens were permitted to supply the markets with the same articles of domestic production, the currency of our state banks would be readily received in payment, and the banks would be enabled to increase the circulation of their paper with great safety and advantage.

It was the design of the board, if the unusual freshets of the season had not prevented it, to have had an examination made of the Licking river, from its mouth, to the highest practicable point of improvable navigation. The counties that border on that river, are Campbell, Pendleton, Harrison, Nicholas, Fleming, Bath and Morgan, containing a population of sixty thousand nine hundred and twenty.

The board have been favored with satisfactory information connected with the resources and productions of the Licking valley, showing the importance of improving the navigation of the river, which is herewith communicated.

Estimates of the quantity of lumber, coal, iron, &c. which could be obtained from the valley of Licking river, by an improvement of its navigation.

"The valley of the Licking could supply an inexhaustible quantity of the most valuable timber, to-wit: yellow pitch pine, poplar, white oak, ash, walnut, cherry, locust, and cedar.

Large and extensive beds of bituminous coal have been found near the sources of the river, near the Blue Lick, and strong indications of its presence have been discovered within a few miles of its mouth.

Iron ore is found at many places in the vicinity of the river. The Slate and Beaver creek iron works are in successful operation, and the ore is, also, found within twenty miles of the mouth of the river.

Of the above articles, there are consumed annually in the city of Covington,

300,000 bushels of coal, worth 10 cents per bushel,	\$30,000 00
2,000 tons of pig metal, worth \$30 per ton,	60,000 00
2,000 tons of iron blooms, worth \$60 per ton,	120,000 00
Total worth,	\$210,000 00

There is, also, in the same city a steam saw mill.

The exports of the Licking valley, consist of flour, bacon, lard, tobacco, corn meal, corn, wheat, saw logs, locust and cedar posts, staves, hoop poles, and tan bark.

The manufacturing establishments in Covington and Newport are already very numerous and extensive, producing annually near one million of dollars worth of useful articles, and are now undergoing considerable enlargements.

The Licking valley, by an improved navigation of the river, could supply a great portion of the raw materials and provisions that are consumed in the various manufacturing establishments that are in the vicinity of its mouth, and could thus become one of the most populous and wealthy parts of the state."

It may here be remarked, that the same view which has been offered of the benefits to be derived from the improvement of the Kentucky, compared with the cost, apply with equal force to the Licking, the Sandy, the Cumberland, and Green river, and need not here be reiterated.

The counties interested in the navigation of the Sandy, are, Greenup, Lawrence, Floyd, and Pike, with a population of sixteen thousand six hundred and ninety-three: and as is shown by the report of the assistant engineer, herewith laid before you, abounds in resources of immense value and extent. To that report reference is made. Although it is not expected that the Sandy river will require a lock and dam navigation, its claims to the legislative patronage will not be weakened, it is believed, from the consideration, that the comparative cost of the improvement will be inconsiderable.

That portion of the Cumberland river which lies within the limits of this state has been heretofore deservedly regarded as an object of deep interest to the citizens in its vicinity, and has awakened the attention and received the aid of your predecessors, as well as of the Congress of the United States. The counties adjacent to it, and to be benefited by the improvement of its navigation, are, Knox, Whitley, Laurel, Pulaski, Wayne, Russell, Cumberland and Monroe, containing a population of forty-six thousand two hundred and seven. The following statement, derived from a source entitled to full reliance, will exhibit some evidence of the resources of that river.

Extract from the report of H. Stansbury, U. S. Engineer, on the survey of the Cumberland River.

"The importance of opening any course of navigation must be estimated chiefly from a consideration of the natural products which will thereby find an outlet to market, the comparative difficulty of other modes of access to it, and the present or prospective amount of population interested in its use. In either of these points of view, the importance and necessity of the contemplated improvement of the navigation of the Cumberland river must be manifest. The extensive valley which is watered by this noble, but wild and fluctuating stream, abounds in products the most valuable to man. Iron, coal, salt, alum, nitre, copperas, gypsum, lead and glauber salts, are among its items of mineral wealth; while, from its fertile soil, large crops of corn, tobacco, and cotton, and from its forests an ample supply of timber, tar, and cedar posts, await but an avenue to market, to remunerate, by the most liberal returns, the efforts of industry and enterprise. For want of this, however, all these sources of emolument and social prosperity are comparatively locked up, and their proprietors in a great degree precluded from advantages which they well understand, and would eagerly embrace.

"The article of salt is of indispensable necessity to human comfort, and even subsistence; yet, for the entire supply of this necessary, the Cumberland valley is dependent upon the country below, because from thence only is there any transportation for it. The salt comes up from Nashville in keel boats, charged, of course, with a heavy addition to its price, on that account. The natural consequence of the difficulties of

the navigation even below Nashville, is, that, in low stages of the water, boats dislike to burden themselves with so weighty a commodity, whilst others, much lighter, afford an equal profit, and hence salt at such times is comparatively scarce and dear. Were the river fully opened, the article would come down in abundance from above, and would be relieved from the heavy charges for transportation with which it is now unavoidably burdened. Upon Fishing creek, a tributary of the Cumberland, about five miles from Somerset, the county seat of Pulaski county, salt has been obtained by boring. Several very productive wells have been opened, and the manufacture, though yet in its infancy, is prosecuted with energy and the best prospects of remuneration. One of the proprietors of the Goose creek salt works, the most extensive establishment of the kind west of the mountains, and situated only thirty miles from the mouth of Laurel river, informed me that, in case a certain navigation was provided, they were ready to furnish at once 500,000 bushels of salt per annum, and could so enlarge their establishment as to meet the demand as it might increase from year to year.

"The raising of tobacco is now comparatively neglected, from the difficulty and uncertainty of getting the crop to market. The counties of Wayne, Pulaski, and Whitley, in Kentucky, formerly raised large quantities of this product, but, owing to the above cause, have abandoned its culture almost entirely. I was told, as low down as Burksville, that three-fourths of all the tobacco brought to that place for shipment the previous year still remained in the warehouses, the owners having been unable to get it afloat before the waters fell so as to render it impossible to transport it to market.

"Such facts as these are sufficient to show of how much importance it is to all the country on the upper Cumberland that its channel should be freed from the obstructions that now encumber it: whilst the country below would be scarcely less benefitted by opening an easy and certain channel for the supply of goods to the upper country, received by importation from abroad.

"The multiplication of steamboats and craft of all descriptions, which must naturally follow, the extent of all branches of business connected with their construction and employment, the creation of numerous villages and towns at favorable points for shipment and trade, the search for new products and new forms of enterprise, which will ever be prompted by an open avenue to the depot of mercantile capital, with a thousand other sources of social activity, which could not fail to follow, are among the benefits which would flow from this improvement."

The time of the principal engineer has been so much engrossed by the necessary preparation of the plans and estimates annexed to his report, that the report of his examination of the Rockcastle river, is necessarily postponed a few days longer. It will be submitted with all practicable despatch. The board avail themselves of the present occasion to say, that the abundant mineral productions of that river render the improvement of its navigation an object of earnest and just solicitude to the citizens interested in it. The counties adjacent to it, are Rockcastle, Laurel, Pulaski and Whitley, containing a population of 18,386.

The foregoing statement of the population and resources of the counties specified, it is supposed, will not be without its influence, in leading to proper conclusions, as to the expediency of legislative action on the subject referred to. It results from the view presented, that there are thirty-five counties embraced by the several projects of improved river navigation; and if, to these, we add the counties of Henderson, Daviess, Hopkins, Muhlenburg, Ohio, Butler, Logan, Warren, Edmondson, Hart, Barren, Green and Adair, with a population of one hundred thousand five hundred and eighty one, we are furnished with an aggregate of fifty counties, consisting of a population of four hundred and nine thousand five hundred and fifty-five, who are directly concerned in the commerce of the principal rivers of the Commonwealth.

No allusion has, thus far, been made, it will be perceived, to the various other streams included within the provisions of the law of the last session. Although they are tributaries only, of the more prominent rivers, they come within the range of a general system, and will receive their due share of your regard. Nor has it been deemed necessary to enter into any specific details in respect to the importance of the public works in progress on Green river; those works are not under the direct superintendence and control of this board.

Comparing the costs of the contemplated ameliorations of the several rivers before specified, with the costs of other works of acknowledged public importance, and estimating the value of those ameliorations, to the several sections of the state concerned in them, the board deem that they hazard nothing, in saying, that they offer the strongest claims to the protection and care of the legislature. Giving rise to a commerce, equal, it is believed, to three millions of dollars annually; the whole plan of the proposed improvements can be effected for a sum not exceeding a million and a half of dollars. How compatible with the public interests such improvements would be, if completed, has been attempted to be shown; and how much cheaper in their construction, than the great works of our sister states, will be apparent, when it is considered that the Erie Canal cost the state of New York ten million of dollars, and that the whole of the great rivers of Kentucky, can be rendered perpetually navigable, in the modes proposed, for less than a fifth of that sum.

The board in the conclusion of this branch of their report, beg leave to say, that they are unanimous in the opinion, that those invaluable improvements should be commenced as speedily as the necessary means can be provided for their steady and successful prosecution.

There has been deposited during the past year to the credit of the treasurer of the state, subject to the disposition of the board, the sum of \$202,707 50; being the proceeds of the sale of the bonds for internal improvement. Of that amount, the sum of \$75,700 00 were unconditionally appropriated by the last legislature, as follows: to the works on Green river, \$50,000: to the construction of the bridge across Licking, \$19,200; to the removal of fish dams, and other obstructions to the navigation of the upper Kentucky river, \$5,000; and to the completion of the road across Muldrow's hill, \$1,500. The remainder, amounting to \$127,00 50, was apportioned by the board between the

three several sections, and invested, as it was applied for, in stock for the state in turnpike roads. The whole of the sums set apart for the use of the two divisions north of Green river, have been invested; that portion allotted for the Green river division of the state, has not yet been called for.

Owing to the limitations imposed in the twenty-seventh section of the law for internal improvement, on the power of the board to make subscriptions to roads, it became important that the fund under their control should be carefully, and as equally as possible, distributed among the several companies that applied for the state subscription.

The subscriptions of the board to the turnpike companies have amounted, during the year, to the sum of \$80,400, as follows: to the board of internal improvement for Franklin county, engaged in the construction of the road from Frankfort, through Georgetown, to Paris, \$5,000; and to the board of internal improvement for Scott county, for the construction of the same road, \$10,000; to the Frankfort, Versailles, and Lexington turnpike company, \$8,000; to the Lexington and Richmond company, \$10,000; to the Covington and Georgetown company, \$5,000; to the Lexington and Winchester company, \$1,400; to the Lexington, Nicholasville, Danville and Lancaster company, \$15,000; to the Louisville and Bardstown company, \$16,000; and to the board of internal improvement for Mercer county, \$10,000.

The total amount of payments for these subscriptions has been \$45,830; leaving the sum of thirty-four thousand five hundred and seventy dollars, due and unexpended on the subscriptions of the board in the northern and middle divisions of the state.

The report of the assistant engineer of a survey made by him of the Sandy river, from the mouth of the main to Pikeville and the west fork, a distance of 110 miles, is herewith communicated. After concluding the survey of those streams, he made a hasty reconnoissance of a road contemplated from Pikeville to the Virginia line; his report of which is also annexed.

We lay before you, also, a statement of the expenditures of the board, incurred for the necessary instruments for the engineer corps, and for the prosecution of the several surveys and examinations of the Kentucky, Rockcastle, and Sandy rivers.

All which is respectfully submitted.

J. T. MOREHEAD, *Pres. of Board.*

JOHN L. HICKMAN,

ORLANDO BROWN.

FRANKFORT, January 22, 1836.

A list of the Counties and their population, interested in the navigation of the Green, Kentucky, Licking, Sandy, Cumberland, and Rockcastle rivers.

FIRST—GREEN RIVER.

<i>Counties.</i>	<i>Population in 1830.</i>
1 Henderson,	6,649
2 Daviess,	5,218
3 Hopkins,	6,763
4 Muhlenburg,	5,341
5 Ohio,	4,913
6 Butler,	3,055
7 Logan,	13,002
8 Warren,	10,947
9 Edmonson,	2,642
10 Hart,	5,292
11 Barren,	14,821
12 Green,	13,718
13 Adair,	8,220
Total.	100,581

SECOND—KENTUCKY RIVER.

1 Perry,	3,331
2 Clay,	3,549
3 Estill,	4,618
4 Madison,	18,035
5 Clarke,	13,052
6 Fayette,	25,174
7 Jessamine,	9,961
8 Garrard,	11,870
9 Mercer,	17,706
10 Woodford,	12,294
11 Anderson,	4,542
12 Franklin,	9,251
13 Scott,	14,667
14 Henry,	11,395
15 Owen,	5,792
16 Gallatin,	6,680
17 City of Louisville,	10,352
Total.	182,279

THIRD—LICKING RIVER.

1 Campbell,	9,893
2 Pendleton,	3,866
3 Harrison,	13,180
4 Nicholas,	8,832
5 Fleming,	13,493
6 Bath,	8,799
7 Morgan,	2,857
Total	60,920

Allen & M. M. M. M. M.

FOURTH—SANDY RIVER.

<i>Counties.</i>	<i>Population in 1830.</i>
1 Greenup,	5,853
2 Lawrence,	3,897
3 Floyd,	4,266
4 Pike,	2,677
Total.	16,693

FIFTH—CUMBERLAND RIVER.

1 Knox,	4,321
2 Whitley,	3,807
3 Laurel,	2,182
4 Pulaski,	9,522
5 Wayne,	8,731
6 Russell,	3,883
7 Cumberland,	8,636
8 Monroe,	5,125
Total.	46,207

SIXTH—ROCKCASTLE RIVER.

1 Pulaski,	9,522
2 Laurel,	2,182
3 Rockcastle,	2,875
4 Whitley,	3,807
Total.	18,386

1 Green River,	13 Counties,	100,581
2 Kentucky River,	16 " and one city,	182,279
3 Licking River,	7 "	60,920
4 Sandy River,	4 "	16,693
5 Cumberland River,	8 "	46,207
6 Rockcastle River,	4 "	18,386
	52	425,066
Deduct 3 repeated,	3	15,511

Counties 49 and one city. Total 410,555
 Whole population of state, 688,844

Difference, 278,289

Expenses of the Board of Internal Improvement of the State of Kentucky, up to this date.

This sum paid for engineering instruments, and their transportation here,	\$590 40
This sum paid R. P. Smith for boat for engineers, with all the necessary appendages,	270 46
This sum paid expenses in examining North Fork of Kentucky river,	82 75
This sum paid expenses in examining Big Sandy river,	81 75
This sum paid Curran Pope, for services rendered in surveying Big Sandy river, &c.	105 00
This sum advanced R. P. Baker, Esq. engineer, to defray expenses of the corps of engineers, and their hands,	850 00
Total,	<hr/> \$1,980 36

REPORT
OF THE
PRINCIPAL ENGINEER,
TO THE
BOARD OF INTERNAL IMPROVEMENTS.

ENGINEER'S OFFICE,
Frankfort, January 19, 1836.

GENTLEMEN:—

Accompanying this, you are respectfully presented with my estimates of the probable cost of improving the navigation of the Kentucky river, from its junction with the Ohio, to the limits of the survey conducted by me during the past season.

It was not, in the first instance, my intention to have presented these estimates, unaccompanied by a minute and detailed report, embracing the various considerations, which have influenced the determination of the plan proposed for the improvement of the river.

But the labor which it appeared to me necessary to bestow upon the maturity and adjustment of a plan, deemed calculated to secure the best objects of the improvement, has kept my time so closely occupied, as to prevent me from preparing that paper previously to this time.

In hopes of being able to get in readiness, in time to anticipate the annual report of the board, such maps, drawings and plans in detail of some of the works, as appeared to me necessary, to elucidate some of the leading considerations which have governed me in the projection of the plan of the improvement, I was induced to delay attention to the subject of the report and estimates until a recent hour. But finding it impracticable to complete the drawings in proper time to present the subject for legislative action, I, some days ago, laid aside such of them as remain unfinished, and commenced the preparation of the estimates herewith submitted. Such of those drawings as are complete, will accompany this; and others, in an unfinished state, will also be submitted to the perusal of the board, until they can be withdrawn and completed at a more leisure opportunity hereafter. At as early a time as the report before alluded to, can be prepared, which will be in a few days, it will be laid before you.

In the meantime, perhaps the estimate, accompanied by such general explanations, which a few hours now allow me to communicate, may afford sufficient information to answer the present purposes of the board, in the formation of their annual report; and serve as the basis of any incipient legislation, which it may be necessary should transpire before the appearance of a more analytical report upon the subject.

It will be perceived by reference to the estimates and drawings, that the board are presented with two differently modified plans for effecting a slack water navigation of the Kentucky river, by the construction of locks and dams.

The only difference in these two plans, excepting the subordinate modifications in the character of materials proposed, is in the scale of their magnitude.

By the first, it is proposed to effect a navigation of six feet depth of water; the works being of sufficient dimensions to accommodate steam boats of 150 to 180 tons.

The second plan contemplates the use of smaller boats of 100 to 120 tons, and the works are proportioned accordingly.

The adoption of the large plan is most respectfully urged, as the one in my humble judgment, presenting the most judicious adaptation to the feature and circumstances of the river, as also, best calculated to secure benefits deemed capable of being derived from the navigation.

The time to which the preparation of this paper is imperiously limited, allows a hasty glance only, at some of the more prominent considerations which produce this conviction, and which have governed my mind in the preparation and submission of this plan. I hope, therefore, that if such of these views as I am enabled now hastily to notice, should be stated generally, without the reason by which they are believed to be fortified, that opinions respecting their merits will be suspended until they can be more analytically examined.

Before, however, entering upon any other discussion relating to the improvement, I beg leave to make the general statement of my opinion, that the volume of water in the Kentucky river, so far as I have examined it, will, at all seasons of its lowest depression, yield an exuberant supply beyond the wants of the navigation. Several gauges made of the volume of the river during the low stage at the time of the survey, furnish conclusive authority upon this subject.

The record of these gauges with the calculation at full length, is in the office; and it was my intention to have presented them with this communication, but I have been prevented from doing so, on account of my inability to have them copied in time. They will, however, appear in the next report. In the mean time, the book in which they are recorded, can be furnished for the perusal of the board and of the legislature.

The results given by these gauges, show that the probable medium volume, during seasons of low water, is about 20,000 cubic feet per minute. The supply of this volume but a minute fraction over eight hours in twenty-four, would pass one hundred boats, of 150 tons each, through a lock of fifteen feet light; leaving a surplus flow of sixteen hours in twenty-four, or two-thirds the whole volume to be devoted to purposes

of water power, with very little, if any, deduction for expense by evaporation, &c. This latter expenditure, it being believed, will be provided for by the supply furnished by tributary creeks, springs, &c. which are continually discharging themselves into the river.

Assuming then, the amplitude of the supply of water as a point that will not be controverted, I shall, in what further remarks I may offer at this time, treat the subject accordingly.

The next question which appears to arise, is in reference to its practicability, and the propriety of undertaking the improvement?

In answer to the first branch of this enquiry, I beg leave, also, for the present, to give a general statement of my opinion, that the Kentucky is decidedly within the reach of secure and permanent improvement. Some considerations, necessarily unnoticed now, will however, in order to give the works this character of security, and to render them otherwise effectual, require a resort to works somewhat out of the ordinary course of similar constructions, and will, also require that in general the works be constructed of such ample dimensions, as will, in some degree, increase their expense. So far, however, as relates to the practicability of accomplishing the improvement, and the certainty and simplicity with which it may be effected, there appears to my mind, no difficulty of any invincible character to be encountered.

In respect to the expediency or propriety of undertaking the improvement, it would seem to require but a cursory survey of the geography of Kentucky, and but indifferent enquiry into the existing statistics and prospective capacities of the rich region of country that flanks the shores of this beautiful river, to enable one to give an affirmative answer to this proposition. This matter is, however, so much better understood by the citizens of Kentucky, than in the nature of things, it can be by me, that it is left to their discussion.

Assuming each of the foregoing positions, I next beg leave to submit to the board, a hasty outline of the prevailing considerations taken into view, in the determination of the scale of improvements. In order to render myself the more intelligible upon this subject, I take leave to advert to some circumstances, in relation to which, the recollections of such of the members of the board as were present on the occasion I am about to allude to, may be of assistance to me. It will be, perhaps, recollected, that some time in the early part of last summer, in a conversation in the governor's office, upon the subject of a communication between the Ohio and the southern Atlantic coast of the United States, I took occasion to express my opinion of a practicable route for uniting the Tennessee river between a point in the eastern district of that state with the navigable waters of the Savannah at the head of steam boat navigation in Georgia, by means of a canal or rail road between these rivers—my preference was expressed for canal transportation. At the same time, the idea of continuing such a communication to the Ohio by means of a connexion between the waters of Cumberland and Kentucky rivers, was suggested by some one present.

Upon the subject of a communication between the Tennessee and the Savannah, I had devoted some thought, several years since. A residence in professional employment, for near five years, first upon the

Muscle Shoals canal, in Alabama; and subsequently, in charge of the improvements then being constructed by the state of Tennessee, in the Tennessee and Holston rivers, between Knoxville and the Alabama state line, had given me a tolerably familiar acquaintance with the general topographical features of the country along the Tennessee river, between the Cumberland and Appalachian mountains, embracing, also, some portions of the neighboring states of Georgia and North Carolina. My observations and enquiries in that country, had created on my mind the strong conviction of the practicability of a communication between the two above mentioned rivers, by which a connexion between the Ohio and the Atlantic could be effected, through the country of East Tennessee. With the country in Kentucky, north of the Cumberland mountains, I was, at that time, unacquainted; but supposed that the communication could be continued from the Tennessee valley, through Kentucky, by a *rail road* made to cross the Cumberland at some eligible point along the confines of the two states. Such suggestions as these had been made publicly by me, about three years before the conversation above alluded to.

During the last season, while engaged in the execution of instructions of the Board, upon a reconnoissance of the Rockcastle river and the South fork of Kentucky, I received, at Barboursville, the order of the Board directing a reconnoissance and examination of the sources of the Kentucky and Cumberland rivers in the vicinity of that town, with a view to ascertain the practicability of effecting a connexion between the navigation of those rivers. Upon an examination of the contiguous sources of the waters of the two rivers in that vicinity, I determined to proceed sixteen miles further up the river, to the rapids of the Cumberland, at the point where it breaks through the Pine mountain, at Cumberland Ford, with a view of observing the probable practicability of procuring a feeder from that point for the supply of a Canal between the waters of the two rivers.

When at Cumberland Ford, I was but thirteen miles from Cumberland Gap, and I determined to go to that point, with a view of enquiring into the reasonable practicability of continuing a canal through the Cumberland mountain at this point.

To the casual and inadvertent traveller, who has passed over the roads that lead through the countries under discussion, the proposal of a *water communication* through a region rugged and mountainous as that, may, and probably will, to many, appear absurd. But, upon a more careful examination of the premises, first impressions might, perhaps, be changed, as difficulties presented by a mere bird's eye view of the bolder features of this mountain region, should successively vanish before a minuter inspection of its intermediate topography.

I have only time to state, as the result of the several examinations last adverted to, that the accomplishment of such a scheme appeared to me to be within the bounds of a reasonable achievement.

The most prominent difficulty naturally to be apprehended in this district of country, would be the want of the necessary quantity of water for supplying a canal. I feel gratified that I am enabled to state my conviction that an abundant supply of water can be commanded at Cumberland

Gap, from a level considerably elevated above the plane of the requisite works, and of the most easy and convenient access. The means of passing Cumberland Gap, are offered by the construction of a tunnel of probably not exceeding seven to eight hundred yards in length. Having perforated the Cumberland mountains, an open plane, five miles down the valley of a creek, would lead the improvement into Powell's river, a bold and copious tributary of the Tennessee, whence it could be continued by locks and dams down that river, and thence by canal to Georgia.

Observing these facts, and entertaining the views above spoken of, I could not avoid regarding the route, as presenting highly eligible facilities for the construction of a channel of the most important character between the Ohio and the Atlantic; and that the Kentucky could thus be made the most conspicuous link in the chain.

If the scheme should hereafter be found practicable, (and I am induced to believe that the advantages presented by it will be found to be so clearly manifest, that it will not be many years before the interests to be affected by inquiry into its practicability, will set the causes in motion that will finally effectuate its developement,) no one will, I presume, question the vastness of the results which sober reason would calculate as derivable from its accomplishment.

Firmly persuaded of the truth of these views, I conceived the idea, (perhaps rashly,) of endeavoring to impart my own convictions to the minds of others.

It will be my purpose to treat this subject in a more systematic manner upon the occasion I have before alluded to. At present I will only add a few words.

The route I propose to follow, would lead from the Ohio up the Kentucky river, by locks and dams, to the three forks of the Kentucky; thence up the South fork and Goose creek to the Salt works; thence by a canal into Cumberland river at Cumberland ford; thence four miles in Cumberland river to the mouth of Yellow creek; thence, by canal, in the bed of Yellow creek to Cumberland Gap; through Cumberland Gap by a tunnel, and by canal from thence into Powell's river 5 miles below; down that river successively into the Clinch and Tennessee, and up the Hiwassee river, by locks and dams; from the Hiwassee, continue the improvement by a canal to the navigable waters of the Savannah at the head of steam boat navigation on that river. The canal would flank the whole chain of the Apalachian mountains on the south west; and in the course of its extent, it would cross the various noble rivers, Coosa, Chattahoochy, Oconee, &c. which, taking their rise in the chain of the Apalachians, flow into the Gulf of Mexico and the Atlantic ocean, between the cities of New Orleans and Charleston. Thus throwing open to the commerce of the countries bordering on the Ohio, a choice among the numerous and greedy markets presented by the vast extent of cotton country, along the southwestern coast of the U. States; independently of the facilities it would offer for reaching the northeastern cities, or European ports, through the ports of Savannah and Charleston.

It will, upon reference to the accompanying estimates, be seen, that the average cost per mile of a lock and dam navigation, upon the most

perfect plan, will but little, if any, exceed one half that of a turnpike road.

It will not, I presume, be necessary for me to insist upon the fact, that the cheapest of all modes of transportation, is that of steam navigation. More than three-fifths of the distance on the route proposed, would be in the beds of rivers improved for this kind of navigation. The most perfect kind of canal can be constructed for one-half the cost of the most perfect rail road. The experience of the northeastern states has fully settled the question, that the cost of transportation on rail roads exceed that upon canals by two to three hundred per cent.

The communication which I propose, could, then, be effected cheaper, and transportation could, also, be carried on for less expense, than upon any other communication: indepently of the advantages presented by the sweeping extent of country it would lead into, through the various lateral channels it would pass in its course to the Atlantic.

I am aware that the prevailing drift of public sentiment sets in the direction of rail roads. Should such an improvement be determined on, the same route is open to it.

If therefore, an improvement of that class should ever be constructed through the region of country, bordering on the upper waters of Kentucky, and the improvment of the Kentucky river should be discontinued at that point, there appears to my mind a strong probability, that the day would not be distant from the completion of such a work, until the demands of commerce would be equal to all the capacities of the Kentucky river improved upon the largest plan proposed. This remark applies with peculiar force to the projected rail road from Charleston to the Ohio, now undergoing discussion in the Legislature of Kentucky. These and other considerations of a general character have appeared to me worthy of serious consideration in forming the plan of the works.

In relation to views confined to the features and traits of the Kentucky river alone, the following are a few of the more prominent reasons which appear to dictate the adoption of the largest plan, to-wit:

The greater security against frequent inundations—less detention to the trade in passing the locks—greater security against deposition of sediment—more effectual improvement of health in the vicinity of the river—more effectual water power will be created. This latter consideration is regarded as an important item in the elements of profit furnished by the improvement.

From a rough calculation, based upon general data, it is believed that the water power created by the dams, constructed upon the scale designated on the drawing, marked "plan No. 1," would yield an income to the state of about \$3,000 per annum at each locality, or equal to \$12,000 between Frankfort and the mouth. This would amount to nearly seven per cent. At the rates at which loans for public improvements have been negotiated by the state of Pennsylvania, this income would overpay the interest of the investment more than sixty per cent. per annum.

As a measure of economy, the construction of the larger plan secures the greatest amount of improvement, at the least expense, at the

same time that it presents, what it is humbly believed may be calculated on, as the prospective exigencies of commerce, facilities equal to their probable demands.

When New York undertook the construction of the comparatively miniature canal of forty feet surface, the whole country was startled at the almost audacity of the enterprize. That work was adapted to the trade *as it then existed*. She is *now* enlarging the same canal to four times its former dimensions, in order to accommodate the trade that *now exists*. This has been brought about in eleven years.

The foregoing disjointed thoughts, hurriedly thrown together, are respectfully submitted to the board. A few words in relation to the estimates, will close this paper.

It was not, as observed at the commencement of this communication, until within a few days past that I commenced the preparation of the estimates. As much time, however, as the nature of the case would permit, has been devoted to them; and upon the whole, it is believed, that the results furnished by them may be relied on as coming very near to what the actual ultimate cost of the work will be found to be, if undertaken.

In regard to some apparent discrepancies in respect to prices allowed for the same kinds of works, at different localities, it will be necessary, to prevent misconception, that I offer a few brief explanations.

For the item of stone masonry, for instance, different prices are allowed at different localities.

I will here observe, that at every one of the localities selected, the locks, and in some cases the dams, will be founded entirely on solid rock; and at each locality the stone necessary for the construction of the work, will be found upon the immediate spot where the works are fixed, excepting in one or two cases where, perhaps, the facing stones of the locks may require transporting a few hundred yards. But, although the materials are in all cases thus convenient, yet regarded as *building materials*, they are not all of the same quality, and I have endeavored to make the proper allowance for such considerations in the estimate.

The cost of dams, also, it will be perceived, is not estimated in the same ratio per foot, &c. The reason is this: The plan of dams is varied as they are to be fixed upon a foundation of rock, or of other materials. The construction of a dam calculated for a gravel foundation, requires a great extension of its base beyond that required for a rock foundation; besides the use of piles, and extra cribs, purposely planned for such foundations. For this reason the construction of a low dam upon a gravel foundation, may cost more than a higher one on rock.

Again: It will be seen that the cost of lockage is not in the ratio of its lift; there appearing by the results of the estimates, to be but a comparatively unimportant difference between a lock of a given lift, and another one of considerable higher or lower lift. This, is accounted for, as follows: What is technically called the lift of the lock, is the difference between the plane of the top of the mitre cill of the lock and a plane equal to the depth of the navigation below the vertex of the dam;

or in other words, the difference between the surface of the water in the lower pool, below the lock, and that of the upper pool raised by the dam at the given lock—now below the plane of the mitre cill, as also, above the plane of the water in the dam, is a fixed quantity of work, which must be executed, whether the lift be a high or a low one. The same remark will apply to the construction of dams, if we exchange the idea of the lift of lockage for the inequalities of the ground upon the bottom of the river, constituting the foundation of the dam.

As previously intimated, the board are presented with such maps, drawings and plans, as time has sufficed to get in readiness, illustrative of the subject of, and some of the views taken in, this communication, which are herewith submitted.

During the season, the various duties of the reconnoissance and partial survey of Rockcastle river; the reconnoissance of the sources of the south fork of the Kentucky, and of the Cumberland; the survey of the Kentucky river; and a tour of inspection of turnpike roads, now being constructed, and general reconnoissance of a portion of the state, have been executed: all which will be reported within a few days to come.

Previously to closing this communication, I submit the following general remarks in relation to the cost of continuing the improvement from Frankfort upward to the Three Forks. It will be perceived that I have made no formal estimate of that portion of the improvement. The board are apprised, that the devotion of my time to other duties has not allowed me an opportunity of personal examination on this portion of the river. I am, therefore, in possession of no data on which to found specific calculations of its cost. Judging, however, from such observations as I have been able to make by crossing the river at some two or three points, one hundred to one hundred and twenty miles above Frankfort, in connexion with such other general information as my opportunities have enabled me to collect, I am inclined to think that the character of the river, as it affects the cost of its improvement, is something more favorable above Frankfort, than below that point. By persons living along the river, and by others acquainted with it, the Kentucky from Frankfort to the Three Forks is represented as flowing generally in a deep channel between rock shores, and to have an average width somewhat narrower than it has from Frankfort to the mouth. The volume of water is, also, represented as being nearly or quite equal at the Three Forks, to what it is at the mouth. This is, probably, near the truth, inasmuch as I conceive that the expenditure of water by evaporation from the river during the low water season, is nearly or quite equal to the supply contributed by the creeks, springs, &c. which fall into it.

The representations made to me of the character of the banks and bed of the stream accord with my own observations so far as they have extended. I am, therefore inclined to the opinion, that rock foundations can be pretty generally, perhaps universally, procured. This will reduce the expense, and increase the security of works. The river being narrower, will, also, lessen the expense of dams. These circumstances, if they are correctly judged of, would probably reduce the cost of the work, say ten per cent.

By reference to the profile in the office, by Capt. Turnbull, I find the distance from Gilpin's ripple, at the head of six feet depth of water, in the pool of dam No. 4, to Boonsborough, to be ninety-three miles, and the fall of the river to be 83 ft. 3.59 in. Equal to an average fall per mile of .895 decimal (of a foot,) or about 10½ inches. This survey terminated at Boonsborough: we have, therefore, no correct data beyond that point. Assuming, however, the popular estimate of the distance to be eighty-five miles, and supposing the fall to become accelerated as we approach the upper waters of the river, to a declivity of one foot per mile, which, I think, will not be far from the truth, and then assuming, as the cost per foot lift of lockage, required by the estimated fall, to be equal to the cost of the same item as per "*Plan No. 1.*" Est. No. 1, reduced by a deduction of ten per cent for the more favorable circumstances of the river, noticed above, will show the cost of lockage per foot lift thus—\$3098 reduced by a deduction of ten per cent, leaves \$2688 54—say \$2700 per foot lift. Then, using whole numbers only, the statement may be made thus:

From H'd Pool, No. 4, to Boonsborough, 83 feet lockage, at	
\$2,700 00 per foot lift,	\$224,100 00
" From Boonsborough to Three Forks, 85 feet lockage,	
\$2,700 00 per foot lift,	229,500 00
Total cost, <i>H'd pool No. 4</i> , to Three Forks,	\$453,600 00
Add cost of improvement Frankfort to the mouth,	185,903 00
Grand total cost of the whole,	\$639,503 00
No. of miles improved, two hundred and fifty-five.	
Total cost \$639,503 00—equal to \$2,508 00 per mile.	
All which, is respectfully submitted.	

R. P. BAKER,
Chief Engineer of State Ky.

ESTIMATES.

Estimate No. 1.—Six Feet Water.

(Plan 1st.—4 Locks and Dams.)

ESTIMATE of the probable expense of improving the navigation of the Kentucky River by Locks and Dams, for a navigation of six feet water, according to the location of works shewn on Plan 1st.

FOUR LOCKS AND DAMS BELOW FRANKFORT.

LOCKS—Of Cut Stone Masonry.

170 feet in the chamber.

36 " wide.

6 " depth of water on the mitre cills.

DAMS—Of crib work filled with stone below the surface of water, and of sloped stone masonry, secured by anchor rods and fastenings, and covered by bond plates and spars above the surface of water.

PIER HEADS.—Crib work below, and stone masonry above water.

HORSE-SHOE BEND.

Lock and Dam No. 1.—17 feet lift.

DAM.

FOUNDATION—gravelly bottom in deep water—broken stone, with probably solid rock underneath, along near right bank.

Incidental—Coffer dams \$1000 00—2830 cubic yards earth excavation at 8 cents, making an aggregate of \$1226 40

(Crib work.)

DAM.

Ties—9333 lineal feet—longitudinal and transverse ties hewn on two sides, 12 x 15, at 4 cents, 373 32

Stone filling—2756 cub: yds: stone filling for crib work on dam, at 40 cents, 1102 40

(Amounts carried forward,)

\$1475 72 \$1226 40

(Amounts brought forward,)	\$1475 72	\$1226 40
<i>Square timber</i> —9415 cub: feet square timber; bond plates, struts, braces, posts, comb timbers, &c. at 10 cents,	941 50	
<i>Sheeting plank</i> —36330 superficial feet 6 inch oak sheeting plank, for covering top and breast, at 6 cents,	2179 80	
<i>Sloped masonry</i> —4636 cub: yds: sloped masonry, crest of dam, at 1 dollar 25 cents,	5795 00	
<i>Iron work</i> —6 tons anchor rods and bolts, for fox wedges, at 125 dollars per ton,	750 00	
<i>Iron work</i> —2 tons T bolts for bond plates, and — cramps for cap stones, at 175 dolls. per ton,	350 00	
<i>Piling, &c.</i> —20 bearing piles at 80 cents each, 830 feet double cribs, tree cribbing at left bank, say	100 00	
<i>Gravelling</i> —1730 cub: yds: gravelling, at 25 cents per yard,	432 50	
		12024 52

ABUTMENT.

<i>Piling</i> —296 bearing piles, at 80 cents each,	236 80	
<i>Crib work</i> —785 lineal feet ties, hewn on two sides, at 4 cents,	31 40	
" " —184 cub: yds: stone filling [head pier, upper pools,] at 40 cents per yard,	73 60	
<i>Masonry</i> —855 perches hammer dressed masonry, in cement, at 2 dollars per perch,	1710 00	
<i>Sheet piling</i> —920 square feet 3 inch sheet piling, at 3 cts. per ft.	27 60	
<i>Puddling</i> —78 cub: yds: puddling, at 25 cts. per yard,	19 50	
		2098 90

PIER HEAD—(base 14 feet below comb dam.)

<i>Crib work</i> —4600 lineal feet longitudinal and cross ties, at 4 cents,	184 00	
" " —1092 cub: yds: stone filling for crib work, at 40 cts.	436 80	
<i>Masonry</i> —434 perches masonry, hammer dressed, in cement, at 2 dollars per perch,	868 00	
<i>Sheet piling</i> —630 square feet of 2 inch sheet piling, end dam, at 2 dollars per 100 feet,	12 60	
		1501 40

LOCK—(17 feet lift.)

<i>Masonry</i> —6572 perches masonry, levelling rock for foundation included, at 4 dollars 50 cents per perch,	29574 00	
<i>Gates, &c.</i> —Main gates, pivot gates, sediment gates, windlasses and fixtures, iron fastenings, collars, cramps, spindle rods, chains, &c., all iron work inclusive, say	2750 00	
Embanking and puddling behind the wall on the land side, say	175 00	
Grading banks 200 feet below lock and abutment to receive slope wall, say	100 00	
1111 superficial yards, slope wall, to pave banks, 50 feet wide, to 0. 200 feet, as above, 50 cents per yd.	555 50	
		33,154 50

Total cost of this improvement,

\$50,005 72

AT SIX MILE RIPPLE.

Lock and Dam, No. 2.—14 feet lift.

ESTIMATE.

NOTE.—Foundation of lock, solid rock.

Foundation of dam, partly rock and partly on a deep deposite of gravel and broken fragments of rock.

DAM.—(Length, 333 feet. Average Height, 16 feet.)

Piling—203 bearing piles, in iron sockets, at 1 dollar 50 cents,

304 50

(Amount carried forward,)

\$304 50

(Amount brought forward,)	304 50
<i>Excavation</i> —1000 cubic yards, gravel excavation for tree top cribs, at 8 cents per yard,	80 00
<i>Tree cribs</i> —140 small trees with tops on, 30 feet long, 8 or 9 inches diameter, 30 cents per tree,	42 00
<i>Tree cribs</i> —216 unhewn round ties, 12 feet long, 12 inches diameter, 20 cents each,	43 20
<i>Stone filling</i> —2680 cubic yards stone filling, at 30 cents,	804 00
<i>Crib work</i> —6900 lineal ft. ties, hewn two sides,—12 \times 15, at 4 cents,	276 00
<i>Square timber</i> —7753 cubic feet square timber, bond plates, frame work, breast, comb, &c. at 10 cents,	775 30
<i>Sloped Masonry</i> —3564 cubic yards sloped masonry, for body of dam, at 1 dollar,	3,564 00
<i>Sheeting plank</i> —36000 square feet, 6 inch oak plank, sheeting, at 6 cents,	2,160 00
<i>Iron</i> —5 tons anchor rods and fox bolts, at 130 dollars,	650 00
<i>Iron</i> —1½ tons T bolts, with nuts and screws, cramps for coping, &c. at 175 dollars,	262 50
<i>Gravelling</i> —1400 cubic yards gravelling, at 20 cents,	280 00
	<hr/> \$9,241 50

ABUTMENT—

(Constructed same as Horse-shoe Bend.)

As 23: 20 :: 2098.90: 1838.17

1838 17

PIER HEAD. (Ht.=8.802 \times 6.=1480.2.)

<i>Crib work</i> —2765 lineal ft. half hewn ties, at 4 cents,	110 72
<i>Crib work</i> —484 cubic yards stone filling, at 30 cents,	145 20
357 perches hammer dressed masonry, at 1 dollar 75 cents,	614 75
264 square feet sheet piling, 2 inch, 2 cents,	5 28
	<hr/> 675 95

LOCK—(14 ft. lift, 6 ft. guard walls.)

<i>Masonry</i> —5860 perches masonry, at 4 dollars,	23,440 00
<i>Gates, &c.</i> —Main and pivot gates, buoys, sediment gates, tracks and carriers, windlasses, chains, &c.	2,500 00
Earth excavation, embanking the lock, &c. allow	400 00
555 superficial yards slope wall to protect the right bank, 50 cents,	277 77
	<hr/> 26,617 77

Total cost of this improvement,

\$38,573 39

CEDAR CREEK RIPPLE.

Lock and Dam, No. 3.—14 feet lift.

DAM.

(Founded on solid rock.)

<i>Crib work</i> —17260 lineal feet longitudinal and traverse ties, at 4 cents,	\$690 44
<i>Crib work</i> —4328 cubic yards stone filling, at 37½ cents,	1648 87
<i>Square timber</i> —4344 cubic feet square timber, bond plates, comb, &c. at 10 cents,	434 40
<i>Masonry</i> —4106 cubic yards sloped masonry, body of dam, 1 dollar 20 cents,	4927 20
<i>Sheeting plank</i> —21720 square feet, 6 inch oak spars, for sheeting top and breast, at 6 cents,	1302 20
<i>Iron</i> —5 tons anchor rods and fox bolts, at 125 dollars,	625 00
<i>Iron</i> —1½ tons T bolts and cramps for cap stones, at 175 dollars,	262 50
<i>Gravelling</i> —1600 cubic yards gravelling, at 25 cents,	400 00
	<hr/> 10,290 61

(Amount carried forward,)

(Amount brought forward,)

10,290 61

ABUTMENT—(rock foundation.)

<i>Crib work</i> —1544 lineal feet ties for crib work, at 4 cents,	61 76
<i>Crib work</i> —201 cubic yards stone filling, at 37½ cents,	75 37
<i>Masonry</i> —536 perches hammer dressed masonry, at 2 dollars,	1072 00
<i>Sheet piling</i> —500 feet 3 inch sheet piling,	15 00
	<hr/> 1,224 13

PIER HEAD—(rock foundation.)

<i>Crib work</i> —4905 lineal feet ties, at 4 cents,	196 20
<i>Crib work</i> —1152 cubic yards stone filling, at 37½ cents,	432 00
<i>Masonry</i> —318 Perches hammer dressed masonry, at 2 dollars,	636 00
<i>Sheet piling</i> —588 feet 2 inch sheet piling, at 2 cents,	11 76
	<hr/> 1275 96

LOCK—(14 feet lift, 6 feet guard walls.)

5860 perches masonry, at 4 dollars 25 cents,	24,915 00
Gates, buoys, windlasses, and all appendages,	2,500 00
685 yards puddling, at 25 cents,	171 00
1110 superficial yards slope wall, at 50 cents,	555 00
	<hr/> 28,141 00

Total cost of improvement at this place,

\$40,931 70

LEE'S RIPPLE.

Lock and Dam, No. 4.—15 ft. lift, 6 ft. gd. walls.

ESTIMATE.

DAM.

<i>Incidental</i> —Levelling rock foundation, say	\$100 00
<i>Crib work</i> —7868 lineal feet, half hewn ties, crib work dam, at 4 cents,	314 72
<i>Crib work</i> —4106 cubic yards stone filling, at 33 cents,	1354 98
<i>Sq. tim.</i> —4070 feet square timber, bond plates, comb, &c. at 10c.	407 00
<i>Sloped masonry</i> —4234 cubic yards sloped masonry a 1 dollar 20 cents,	5080 80
<i>Sheeting plank</i> —21460 square feet sheeting plank, 6 inches, at 6 cents,	1287 60
<i>Iron</i> —5 tons iron, anchor rods and fox bolts, at 125 dollars,	625 00
<i>Iron</i> —1½ tons T bolts and cramps for cap stone, at 175 dollars,	262 50
<i>Gravelling</i> —1600 cubic yards gravelling at 20 cents,	320 00
	<hr/> 9,672 60

ABUTMENT—None.

The dam will terminate against the vertical ledge of rocks at the right shore, allow for preparing ledge to receive dam,

50 00

PIER HEAD.

<i>Crib work</i> —4510 lineal feet, half hewn ties for crib work, at 4 cents,	180 40
<i>Crib work</i> —893 cubic yards stone filling for crib work, at 33 cents,	294 69
<i>Masonry</i> —420 perches hammer dressed masonry, at 1 dollar 75 cents,	735 00
<i>Sheet piling</i> —963 square feet 2 inch sheet piling, at 2 cents,	19 26
	<hr/> 1,229 35

(Amount carried forward,)

10,951 95

(Amount brought forward.)

10,951 95

LOCK—(15 feet lift, 6 feet guard walls.)

Masonry—6153 perches of masonry, at 4 dollars 25 cents, 26150 25
 Gates, windlasses and chains, buoys and fixtures, tracks and carriers, cramps for coping, spindle rods, &c. all iron work inclusive, 2500 00
 Puddling, embanking, and filling ravine at head of lock, say 250 00
 500 superficial yards protection slope wall, left bank, at 50 cents, 250 00

28,550 25

Total cost of improvement at this point,

\$39,491 60

SUMMARY OF ESTIMATE No. 1.

TABULAR VIEW.

Shewing the total cost of the improvements at each locality, and also, the aggregate total cost of the whole work.

Shewing, also, the amount of lockage, and its average cost per foot lift: Also, the extent of navigation improved for six feet water and its average cost per mile.

LOCKS—of cut stone masonry, 170 feet chamber—36 feet wide.

DAMS—crib work under water—sloped stone masonry above.

No. of improvement.	Location.	Termination 6 ft. depth of water in the pool of dam.	Lifts of navigation.		Cost.
			Locks.	feet. miles.	d. c.
Lock & Dam No. 1.	{ Horse-shoe bend, } { 4 miles above mo. } { of Kentucky. }	{ Six mile creek, } { site of lock & } { dam No. 2. }	17	27½	50005 72
Lock & Dam No. 2.	{ 6 mile cr. ripple. }	{ Cedar cr. ripple, } { site of lock } { & dam No. 3. }	14	10½	38573 39
Lock & Dam No. 3.	{ Cedar cr. ripple. }	{ Lee's ripple, } { site of lock & } { dam No. 4. }	14	23½	40931 70
Lock & Dam No. 4.	{ Lee's ripple, a- } { bout ½ mile be- } { low Frankfort. }	{ Gilpin's ripple, } { about 15 miles } { above Frankf t }	15	15½	39491 60
Total—feet of lockage, miles improved, and net cost,			60	76½	169002 41
Add for contingencies, engineering, superintendence, &c. 10 per cent,					16900 20
Grand total cost,					185902 61

Note.—The pool raised by Dam, No. 4, will give a navigation of 6 feet depth water at the foot of Gilpin's ripple, 14½ miles above Frankfort, 80½ miles above mouth of Kentucky, and a few miles from Versailles and Lawrenceburg.

Aggregate cost of improvement, as above,

\$185,902 61

Amount of lockage 60 feet—average cost \$3098 37 per foot lift.

Extent of navigation improved for 6 feet water—76½ miles.

Average cost per mile—\$2426 13.

ESTIMATE, No. 2.

LOCKS—170 feet in the chamber,
 36 feet wide,
 6 feet guard walls,
 6 feet water on the mitre cills,
 Boats 150 to 180 tons.

Approximate estimate of the *comparative cost* of the improvements in the Kentucky river, the Dams and Pier Heads of *timber crib work* throughout their whole height, instead of being built as contemplated in Estimate, No. 1, of stone masonry, above the surface of the water.

This comparison is made by adding together the several items of cost incident to the construction of the work, in the manner proposed, of stone masonry, and deducting that sum from the total cost, as per Estimate, No. 1; and then adding to the remainder, the cost of an equal solid of timber and stone crib work: also, estimated at the same rates that are allowed at each appropriate locality in Estimate, No. 1.

HORSE-SHOE BEND—17 feet lift.

Lock and Dam, No. 1—Len. Dam, 260 ft. av. ht. 19½ ft.

N. B.—The prices allowed at this locality, in Estimate, No. 1, are: timber for crib ties, 4 cents per foot; stone for cribs, 40 cents per cubic yard—average, 57 cents per cubic yard.

From total estimated cost of the work, per Estimate, No. 1,	50,005 72
Deduct total cost sloped masonry, 4636 cubic yards, at 1 dollar 25 cents,	5975 00
Deduct 434 perches hammer dressed masonry, 420 cubic yards, at 2 dollars per perch,	868 00
Deduct 2080 cubic feet square timber, bond plates, 77 cubic yards, at 10 cents a foot,	208 00
Deduct half the gross amount allowed for iron work of dam,	550 00
Aggregate cubic content of material deducted, 5133 cubic yards, cost,	7,601 00
Which, being deducted, shows the aggregate cost of work incident to either plan,	42,404 72
Now, for the materials deducted, 5133 cubic yards, substitute an equal solid of crib work, 5133 cubic yards, at 57 cents,	2,925 81
And the total cost of the work, dam and pier head—crib work to top, is	45,330 53
But to this sum, should be added for the additional cost of a hammer dressed coping on pier head,	200 00
And the total cost would then be this sum,	\$45,530 53

SIX MILE RIPPLE—14 feet lift.

Lock and Dam, No. 2.

Rates allowed at this place in Estimate, No. 1, for crib work are: Ties for cribs, 4 cents per foot; stone for filling, 30 cents cubic yard—average 50 cents per cubic yard.

From total estimated cost of work, per Estimate, No. 1. 38,573 39

Deduct as follows:

1st estimated quantity of sloped masonry, 3564 cubic yards, at 1 dollar,	3564 00
2nd, 357 perches hammer dressed masonry, 334 cubic yards, at 2 dollars a perch,	714 00
3d, 2664 cubic feet square timber, bond plates, 99 cubic yards, at 10 cents per foot,	266 40
4th, half the estimated amount of iron work in the dam,	456 50

Total cubic content of materials deducted, 3997 cubic yards, cost 5,000 90

Which, being deducted, leaves as cost of remaining work, incidental to either plan, 33,572 49

Now substitute for materials deducted, an equal solid, 3997 cubic yards crib work, at 50 cents, 1,998 50

Also, add 200 dollars to cover extra expense of coping, 200 00

And the total cost, \$35,770 99

CEDAR CREEK RIPPLE—14 feet lift.

Lock and Dam, No. 3.

Prices allowed for timber and stone at this point are: Crib timber, 4 cents; stone for filling, per cubic yard, 37½ cents.—55 cents per cubic yard for crib work.

From total estimated cost of works, per Estimate, No. 1, 40,931 70

Deduct as follows:

1st, Amount sloped masonry required in dam, 4106 cubic yards, at 1 dollar 20 cents,	4927 20
2d, 318 perches hammered masonry in pier head, 295 cubic yards, at 2 dollars per perch,	590 00
3d, 2896 cubic feet square timber, bond plates, 108 cubic yards, at 10 cents per foot,	289 60
4th, half the estimated amount of iron work of dam,	443 75

Aggregate cubic content of materials deducted, 4509 cubic yards, cost, 6,250 55

Which, being deducted, leaves the remaining work incidental to either plan, 34,681 15

Now, in place of the materials deducted, substitute an equal solid, 4509 cubic yards crib work, at 55 cents, 2,479 95

Also, add 200 hundred dollars, additional expense of coping, 200 00

And the total cost of the improvement, crib work, instead of masonry is \$37,361 10

LEE'S RIPPLE—15 feet lift.

Lock and Dam, No. 4.

Rates allowed in Estimate, No. 1, for crib materials are: Timber, 4 cents per foot; stone, 33 cents per cubic yard.—52 cents per cubic yard, for crib work.

From the total cost of the work, per Estimate, No. 1,	\$39,491 60
Deduct as follows:	
1st, Total quantity sloped masonry in dam, 4234 cubic yards, at 1 dollar 20 cents,	5080 80
2nd, 420 perches hammer dressed masonry, 390 cubic yards, at 2 dollars,	735 00
3d, 4070 cubic feet square timber, bond plates, 151 cubic yards, at 10 cents a foot,	407 00
4th, Half the estimated cost of iron work in dam,	443 50
Aggregate cubic content of material deducted, 4775 cubic yards, cost	6,666 30
Which, being being deducted, leaves as the remaining work incidental to either plan,	32,825 30
Now, replace the amount of materials deducted, 4775 cubic yards, by an equal solid of crib work, at 52 cents,	2,483 00
And then add for additional expense of coping,	200 00
And the total cost, dams and pier head, crib work instead of masonry,	\$35,508 30

SUMMARY,

Showing the total cost of the improvements at each locality, and aggregate total cost of the whole works from the mouth of the Kentucky river, to Lock and Dam, No. 4, near the town of Frankfort. Showing, also, the aggregate lift of lockage, and the extent of the navigation improved for 6 feet water, from Lock and Dam, No. 1, to the head of said depth of water in the pool of the upper dam, at the foot of Gilpin's ripple, about 15 miles above Frankfort.

Order of Improvements.	Localities.	Lift of Locks.	Extent of navigation improved.	Total estimated cost.
Lock and Dam, No. 1.	Horse-Shoe Bend,	17 feet,	27½	45530 53
Lock and Dam, No. 2.	Six Mile Ripple,	14 feet,	10½	35770 99
Lock and Dam, No. 3.	Cedar Creek Ripple,	14 feet,	23½	37361 10
Lock and Dam, No. 4.	Lee's Ripple, near Fk't.	15 feet,	15½	35508 30
Total, net cost,				\$154170 92
Add for contingencies, engineering, superintendence, &c. 10 per cent.				15417 09
Aggregate total cost, &c.		60 feet,	76½	169586 01
		Cost of Improvement.	Cost, per foot lift.	
Total amount of lockage, 60 feet,		\$169,588 01	\$2,827 46	
Extent of navigation improved, for 6 feet water, 76½ miles; cost per mile,			\$2,216 36.	

N. B.—The pool of Dam, No. 4, will give a depth of 6 feet water to the foot of Gilpin's ripple, 80½ miles above the mouth of Kentucky, and about 14½ miles above Frankfort; and a depth of 5 feet, about 3 miles further, to Steele's ripple, a few miles from the towns of Lawrenceburg and Versailles.

ESTIMATE, No. 3.

Plan, No. 2.—5 feet water.

Approximate estimate of the probable cost of improving the navigation of Kentucky river, for a depth of 5 feet water, between its mouth and the town of Frankfort, according to the plan of the improvement and location of works shown on the profile of the river marked "*Plan, No. 2.*"

The improvement to be effected by means of 5 *Locks and Dams*.

LOCKS—To be constructed of cut stone masonry, 140 feet in the chamber, 36 feet wide, 5 feet depth of water on the mitre cills.

DAMS—To be constructed of cribs of timber, filled with stone, below the surface of water; and above the surface to be of sloped stone masonry, secured by iron anchor rods and bolts, and covered by a course of sheeting spars, secured to bond timbers, and so planned that the timber may be removed for repairs without disturbing the masonry.

HORSE SHOE BEND.*Lock and Dam, No. 1.—Lift, 8 feet.*

One rocky shore—bottom, gravel half way across.

DAM { Length of wier, 260 feet,
{ Avg. height, 12 feet.

Coffer dams, bearing piles, earth excavation, &c.	1500 00	
260 feet length of wier of dam, at 24 dollars,	6240 00	
Pier head and abutment,	1800 00	
		9540 00

LOCK—(8 feet lift, 10 feet guard walls.)

4117 perches masonry, at 4 dollars 50 cents,	18526 50	
Gates and appendages, embankment, slope wall—all work inclusive,	3200 00	
		21726 50

Total cost of improvement, per Plan, No. 2.	\$31,266 50
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MARION.*Lock and Dam, No. 2.—Lift, 10 feet.*

Solid rock bottom three fourths the length of Dam, then broken rock—probably solid underneath; banks alluvial earth.

DAM—(Length, 290 feet; average height, 14 feet.)

290 feet length of wier, at 24 dollars,	6960 00	
Abutment and pier head, and all other required work included,	2000 00	
		8960 00

(Carried forward.)

(Amount brought forward,)

8960 00

LOCK—(10 feet lift; guard walls, 6 feet.)

3911 perches masonry, at 4 dollars 50 cents, 17599 50

Gates and appendages—including all other requisite work, 3200 00

20799 50

Total cost of this improvement,

\$29,759 50

SIX MILE CREEK.

Lock and Dam, No. 3.—Lift, 12 feet.

Solid rock bottom on left shore, foundation of Lock. Gravel foundation for Dam nearly across.

DAM—(Average height, 14 feet; length, 335 feet.)

Excavation of gravel, piles and tree cribbing, say 600 00

335 feet length of wier of dam, at 26 dollars, 8710 00

Abutment and pier head, 1500 00

10810 00

LOCK—(12 feet lift; 6 feet guard walls.)

4622 perches masonry, at 4 dollars, 18488 00

Gates, &c. all other work inclusive, 3200 00

21688 00

Total cost at this place,

\$32,498 00

CEDAR CREEK.

Lock and Dam, No. 4.—Lift, 12 feet.

Solid rock bottom entirely across. Bank on each side, earth.

DAM—(Length, 362 feet; average height, 16½ feet.)

362 feet, length of overfall of dam, at 26 dollars, 9112 00

Abutment and pier head, 1800 00

10912 00

LOCK—(12 feet lift; 6 feet guard walls.)

4622 perches masonry, at 4 dollars 25 cents, 19643 50

Gates, and all necessary work estimated at 3350 00

22993 50

Total cost of this work,

\$33,905 50

ESSEX RIPPLE.

Lock and Dam, No. 5.—Lift, 8 feet.

One high rock bluff shore for found. Lock. Dam on gravel bottom half across.

DAM—(Length, 270 feet; average height, 12 feet.)

270 feet, length of wier of Dam, at 23 dollars, 6210 00

Abutment and pier head, excavation and other work included, 2000 00

8210 00

(Carried forward,)

(Amount brought forward,)

8210 00

LOCK—(8 feet lift; 6 feet guard walls.)

3518 perches masonry, at 4 dollars 25 cents,	14951 50	
Gates, &c. all other expense included, estimated at	3200 00	
		18151 50
Total,		\$26,361 50

SUMMARY OF ESTIMATE, No. 3.

Improvement as per Plan, No. 2, by 5 Locks and Dams, for 5 feet water.

Tabular view, showing the total cost, amount of lockage, extent of navigation improved, and the average cost per foot lift, of lockage, and per mile of 5 feet navigation.

Localities.	No. works.	No. feet lock- age—full o- vercome.	No. miles of navigation improved.	Total cost of the improve- ment.
Horse Shoe Bend,	Lock and Dam, No. 1,	8 feet,	12½ miles.	31266 50
Marion,	Lock and Dam, No. 2,	10 feet,	14½ miles,	29759 50
Six mile creek,	Lock and Dam, No. 3,	12 feet,	10½ miles,	32498 00
Cedar Creek,	Lock and Dam, No. 4,	12 feet,	18½ miles,	33905 50
Essex Ripple,	Lock and Dam, No. 5,	8 feet,	*9 3-8 miles,	26361 50
		50 feet,	65½ miles,	
Net total cost of the improvement,				153791 00
Add, for contingencies, engineering, superintendence, &c. 10 per cent.				15379 10
Grand total,				\$169170 10
Average cost per foot lift of lockage,				3383 40
Number of miles of navigation improved for 5 feet depth water, 65½.				
Average cost per mile, of the improvement,				\$2577 00

*The pool raised by the Dam at Essex, will give a depth of 5 feet water at Smooth Rock Ripple, 3½ miles above Frankfort, and a depth of 4 feet, two miles further up, at Glenn's Creek Ripple, 71 miles above the mouth of the Kentucky.

ESTIMATE, No. 4.

Location and number of works as per Plan, No. 2.

DAMS—To be of crib work throughout. Dimensions of work as per Estimate, No. 3.

LOCKS—140 feet chamber; 36 feet wide; 5 feet depth of water.

HORSE SHOE BEND.

Lock and Dam, No. 1.—8 feet lift.

One rocky shore for foundation of Lock. Bottom gravelly half across.

DAM—(Length, 260 feet; average height, 12 feet.)

Coffer dams, bearing piles, earth excavation, &c.	1500 00	
260 feet, length of wier of dam, at 17 dollars,	4420 00	
Pier head and abutment, estimated,	1300 00	
		7220 00

LOCK—(8 feet lift; 10 feet guard walls.)

Set down as per Estimate, No. 3, gates &c. included, (whole cost,) 21726 50

Total, \$28,946 50

MARION.

Lock and Dam, No. 2.—Lift, 10 feet.

Bottom, solid rock three fourths across; broken rock, probably solid underneath balance distance.

DAM—(Length, 290 feet; average height, 14 feet.)

290 feet, length of wier of dam, at 17 dollars,	4930 00	
Abutment and pier head, all other work of dam included,	1500 00	
		6430 00

LOCK—10 feet lift; 6 feet guard walls.)

As per Estimate, No. 3, (whole cost,) 20799 50

Total, \$27,229 50

SIX MILE CREEK.

Lock and Dam, No. 3.—Lift, 12 feet.

One rock shore, foundation for Lock. Dam on gravel nearly across.

DAM—(Length, 335 feet; average height, 14 feet.)

335 feet, length of wier of dam, at 19 dollars,	6365 00	
Abutment and pier head, estimated,	1100 00	
Add for bearing piles, excavating gravel, and tree cribs,	600 00	
		8065 00

LOCK—(12 feet lift; 6 feet guard walls.)

As per Estimate, No. 3, (whole cost,) 21688 00

Total, \$29,753 00

CEDAR CREEK.

Lock and Dam, No. 4.—12 feet lift.

Bottom, solid rock—earth banks.

DAM—Length of wier, 362 feet, (average height, 16½ feet,) at
18 dollars, 6516 00

Abutment and pier head, 1100 00 7616 00

LOCK—12 feet lift; guard walls, 6 feet. Whole cost as per Es-
timate, No. 3, 22993 50

Total, \$30,609 50

ESSEX RIPPLE.

Lock and Dam, No. 5.—8 feet lift.

One rock bluff shore, foundation for lock. Bottom gravel half way—one alluvial bank.

DAM—(Length of wier, 270 feet; average height, 12 feet.)
270 feet overfall of dam, 17 dollars, 4590 00
Abutment, pier head and other work of dam, 1500 00 6090 00

LOCK—(8 feet lift.)

All cost inclusive, as per Estimate, No. 3, 18151 50

Total, \$24,241 50

SUMMARY OF ESTIMATE, No. 4.

Showing the aggregate and the average cost of Improvements per mile.

		<i>Miles of navigation improved.</i>	<i>Total cost of each improv.</i>
Horse Shoe Bend,	Lock and Dam, No. 1.	12½ miles,	28946 50
Marion,	Lock and Dam, No. 2.	14½ miles,	27229 50
Six Mile Creek,	Lock and Dam, No. 3.	10½ miles,	29753 00
Cedar Creek,	Lock and Dam, No. 4.	18½ miles,	30609 50
Essex Ripple,	Lock and Dam, No. 5.	9 3-8 miles,	24241 50
	Aggregate total,	65½ miles,	140780 00
	Add for contingencies, 10 per cent.		14078 00
	Grand total cost,		154858 00

Amount of lockage, 50 feet,

Average cost per foot lift, \$3,097 16.

Extent of navigation improved for 5 feet water, 65½ miles.

Average cost, per mile, \$2,360 00.

All which is respectfully submitted.

R. P. BAKER.

NOTE.—The Public Printer states that he has used the words "Dollars" & "Cents" at full length, instead of the abbreviations \$ & cts. as they occurred in the manuscript. This note is published at the request of Maj. Baker.

REPORTS
OF THE
ASSISTANT ENGINEER,

OF HIS
Operations in the year 1835.

No. I.
SUMMARY REPORT.

FRANKFORT, December 27th, 1835.

To the President and members of the Board of Internal Improvement.

GENTLEMEN:

IN compliance with the instructions of your honorable body, in the month of August last, I made the necessary examinations and contracts for the removal of all the fish dams in the Kentucky river below the Three Forks. During the latter part of the same month, and early in the next, I made the necessary examinations and contracts for the removal of the most dangerous obstructions to the navigation of the North fork for the distance of one hundred and twenty-seven miles, and also, for the removal of the obstructions which were in the mouth of the Middle fork of the Kentucky river.

The above examinations and contracts were made for the purpose of carrying into effect that part of the law, establishing a board of internal improvement, passed at the last session of the legislature, which appropriated the sum of five thousand dollars "for the removal of obstructions to the navigation of the Kentucky river above the Three Forks, and the fish dams in any part of said river." A specific report, and the original contracts for the execution of the work, together with a sheet of drawings of some of the obstructions, are herewith submitted.

From the 20th of September to the 20th of October, I was engaged in assisting to make the survey of the Kentucky river, from its junction with the Ohio river to Frankfort, which had for its object the selection of the proper scites for a system of locks and dams, which would be calculated to ensure a perpetual navigation for steam boats of one hundred tons burthen.

From the 1st to the 20th of November, I was engaged in making the survey of the Sandy river, which was unfortunately interrupted by a rise in its waters before its completion. A report of the examination, and a map of the part of the river surveyed from the town of Louisa to the mouth of George's creek, are herewith submitted.

By the request of many gentlemen of Floyd and Pike counties, while I was in that section of the state, I made a coup d'œil reconnoissance of the route of a road of about thirty miles in length, which should connect Pikeville, up to which the Sandy river is navigable for a large portion of the year, with the Sounding Gap in the Cumberland mountain, where it would join with a road in Virginia, leading through Russell county, and extending into the eastern portion of Tennessee.

From the Sounding Gap, which is within two miles of the very source of the North fork of the Kentucky river, I descended along its margin, until I arrived at the commencement of the work which had been put under contract. From that place I descended the river in a canoe and made my inspections, the result of which will be found in the report on that subject.

By the invitation of his Excellency, the president of the board, I accompanied him to the Vienna falls, upon Green river, and was there at the same time the committees of the legislature assembled for the purpose of inspecting the public works which are progressing at that place.

I have the honor to be,

Very respectfully,

Your obedient serv't,

N. B. BUFORD,

Civil Engineer.

No. II.

REPORT

Upon the nature, and removal of the obstructions to the navigation of the North and Middle forks, and the fish dams in the Kentucky river.

The North, is much the most considerable of the three forks of the Kentucky river. It takes its rise in the south eastern extremity of Perry county, on the western slope of the Cumberland mountain, from which it descends with great velocity; but, before it has acquired the magnitude of an ordinary mill stream, flows with a gentle, and in its course decreasing velocity, when, after meandering in a north westerly direction a distance of four hundred and twenty miles, it discharges itself into the Ohio river, at low water of both streams, with a velocity scarcely perceptible.

The region through which it flows for the first two hundred miles of its course, is composed of mountain ridges and hills, all the rocks of which are of the carboniferous group, being sandstone, shale, and conglomerate, interstratified with beds, generally horizontal, of bituminous coal of from one to fifteen feet in thickness, and below which is found, at various depths, the mineral muriate of soda, (common salt.) The valleys, through which the upper part of the river and its principal tributaries flow, are generally narrow, but frequently become wide enough to contain farms of from fifty to three hundred acres between the points at which the river, striking against the abrupt face of the mountain on one side, is deflected across the valley to the other, and

thence again to the same side. The bottoms are a rich alluvium, and the hills are covered with magnificent forests of the most valuable timber trees.

The bed of the river, from its source to a point a few miles below the junction of the Three Forks, is worn through strata of the carboniferous group above described, which are frequently inclined, and as they are of different degrees of hardness and chemical composition, they have yielded unequally to the friction of the water, and the other decomposing elements. In consequence of these causes, the river flows over an irregular bed, being frequently interrupted by the outcrop of the hardest of the inclined strata, which act as dams, over which the water escapes with but little depth and increased velocity. At other places the bed of the river is slate for several miles, which is so inclined, that the velocity is sufficiently great, to render the depth so little, that it would be difficult to navigate these shallows with the lightest canoe: and what often renders them more difficult, is, that these smooth bottoms, which always occur where the river is wide, are literally strewed with masses of detached rocks, varying from one cubic foot, to thirty cubic yards in size. But the greatest obstructions which the ordinary navigation with flat boats and rafts had to encounter, were the number of large masses of detached rocks which were located in the elbows formed by the sinuosities of the stream, and against which the current, when sufficiently high for boating, sets with an almost irresistible force. These rocks were so large that many of them measured upwards of one hundred, and the largest, three hundred and fifteen cubic yards above the low water mark. The upper part of the river is also obstructed by islands, many of which, are fragments of rock, that have been able to resist the causes of disintegration that have worn the channels on each side of them, filled in with drift wood and alluvium, and now covered with vegetation.

The above, together with the fish dams, which were numerous; overhanging trees in particular situations; a large drift which had accumulated in the mouth of the Middle fork in 1817, and which had never since been dislodged by the action of the water; and the snags that were in the channel, embrace all the kinds of obstructions that the safe navigation of the river, when it is at a boating stage, requires to be removed.

If the means appropriated by the legislature had been sufficient for the removal of all the obstructions above described, there would have been no difficulty in selecting the very highest point at which the river might be considered navigable for the commencement of the improvement: but, this not being the fact, it became necessary to consider, to what objects the appropriation should be applied, in order to afford the greatest benefit to the community. After a careful examination it was found, that the appropriation would be sufficient to remove all the obstructions that were *absolutely dangerous* to the descending navigation of the ordinary crafts when the water was at a boating stage, from the mouth of Leatherwood creek to the junction of the South fork, a distance of one hundred and twenty-seven miles, and all the fish dams in the principal Kentucky river.

It was conceived to be especially desirable that the navigation should be opened to the upper point, above named, in consequence of its being the seat of the salt works of General White and Colonel Brashers, which have but just been established and put into successful operation, and are now making about two hundred and fifty bushels of salt per week, which will be more than sufficient for the supply of that whole section of country with this indispensable article.

Between the mouth of Leatherwood and the South fork, contracts were made for the removal of obstructions at seventy-nine different places; and between the South fork and Frankfort, contracts were made for the removal of sixty-five fish and mill dams. The memorandum book which contains the descriptions and measurements, together with the actual cost at each one of them, and also a sheet of drawings representing some of the obstructions, and the fourteen original contracts, accompany this report.

The expenditure has been as follows:

On the North fork,	\$2,960 00
On the Middle fork,	200 00
On the North and Middle forks conjointly,	500 00
On the Kentucky river,	1,243 00
Total expended,	\$4,903 00
Balance unexpended,	97 00
Whole amount of appropriation,	\$5,000 00

The latest date which was stipulated in any of the contracts for the completion of the work, with the exception of one, was the first of December: and, although at the time when the inspection was made, which was in the latter part of November, only two of the contractors on the North and Middle forks had entirely fulfilled their engagements, yet, I feel happy in being able to state, that all the others had made such progress as to afford evidence of good faith, and that the principal and most dangerous obstructions have been entirely removed. Consequently, it has not been found necessary to annul any of their contracts, but a sufficient amount of the payments have been withheld, as will ensure their completion as soon as the season will permit. A rise in the Kentucky river prevented my inspections from extending down it, but the most satisfactory evidence has been furnished of the entire removal of the fish and mill dams, and of a faithful compliance with the contracts; the payments upon which have been fully made.

It would be improper for me to close this report without repeating, that the navigation of the upper part of the Kentucky river has not been improved by the small expenditure which has been made upon it during this year, further than to remove the obstructions that were dangerous to the passage of the ordinary crafts, and that the appropriation was scarcely sufficient for that object. To improve the navigation so that the same crafts can pass at a lower stage of water than they now can, and consequently, during a greater portion of the year, and to render the river practicable for keel boats, remains yet to be accomplish-

ed: and from the facts which I have been enabled to collect concerning the productions of this section of the state, I feel assured, that an improved navigation of the upper part of the river would develop sources of wealth that are of the utmost importance to the growth of the manufactures and the commercial prosperity of the state.

At the present time, the large section of country which is watered by the Three Forks of the Kentucky river, is the most inaccessible and the most destitute of facilities for the exportation of the mineral and agricultural treasures with which it abounds, and for the importation of all those articles of foreign manufacture and growth, which are not only absolutely necessary for comfort, but are, also, the rewards and stimulants of industry, of any portion of the state. The explorations which already have been made of the minerals with which this neglected region abounds, have discovered coal, salt, nitre and copperas in such vast quantities, that the future supply of them might be enumerated by the word, inexhaustible: while the forests can not only supply all the varieties of timber, which are found in other parts of the state, but also, the yellow pitch pine, which is of peculiar value.

The enumeration of the amount of these articles which were brought into market during the last year, may be useful, but, dependant as they were upon an unsafe and precarious navigation, they will make but a poor figure in the statistics of the state. The coal region commences a few miles below the junction of the Three Forks, and extends up along and beyond the heads of each one of them. The principal veins that are now mined, and which but ineffectually supply the markets of Lexington and Frankfort, are near the mouth of the South fork; near the mouth of Troublesome creek, sixty miles up the North fork, where it is found in better quality than in any other part of the United States; and near Perry court house, fifty miles higher up the same fork. The quantity of this article brought to market during the last boating season amounted to seventy-five thousand bushels, and sold for near nine thousand dollars. The principal manufactories of salt, are upon Goose creek and the Red Bird fork, both of which are tributary to the South fork. It is, also, manufactured at the mouth of Leatherwood, as I have already noticed, on the North fork; and strong salt water has been obtained near the mouth of Troublesome, though the proprietor has not yet made his preparations to manufacture. From information which may be perfectly relied on, I have ascertained, that there were two hundred and fifty thousand bushels of this article manufactured during the last year, about two thirds of which was sold on different parts of the Kentucky river to as low down as Cleaveland's landing, and the remainder, either in the vicinity, or in the neighboring counties in Tennessee. The proceeds amounted to at least one hundred thousand dollars. It was found more difficult to ascertain the quantity of timber which is annually sent to market from this section, but from the data which I have collected, it may be estimated at three thousand saw logs, of poplar, pine, oak and ash, which were worth, at the least, five thousand dollars. To the above may be added thirty thousand pounds of ginseng, and large quantities of deer skins, furs, honey, beeswax and feathers, which are estimated to produce annually, ten thousand dollars.

I shall close this report with recommending, that the board ask of the legislature, the appropriation of five thousand dollars for the improvement of the navigation of the North and Middle forks of the Kentucky river, and three thousand dollars for the improvement of the navigation of the South fork; the whole to be expended under their direction. I shall make no suggestions in regard to the upper part of the principal Kentucky river: entertaining, as I do, no doubt of its susceptibility of a slack water navigation, which shall extend from its mouth to the Three Forks. If the river is susceptible of this improvement near its mouth, the only limit to its extension, would be the supply of water. By accurate measurements which were made in the month of October last, it was ascertained that the supply was not only sufficient for the navigation, but would, also, afford valuable water privileges. In the year 1828, I assisted in making measurements of the quantity of water flowing at Frankfort, and when the river was at quite as low a stage, at Boonsborough, more than one hundred miles above, and we were surprised to find upon comparison, the greater quantity at the latter place: but surprising as this fact may at first appear, it may be accounted for upon principles fairly deduced from natural laws. It is a well known fact, that the most elevated lands attract, in proportion to their volume and density, a larger quantity of that aqueous vapor which the heated atmosphere continually absorbs from the surface of the earth. By these means the higher regions become perpetual reservoirs, which descend and irrigate the lower valleys and plains. In consequence of this provision, almost all the water is first carried to the highest regions, and is thus made to pass over the greatest distance each region affords, before it can regain the sea.* The applicability of this reasoning to the circumstances of the Kentucky river, combined with observations confirmatory of the fact, leave us no reasonable room to doubt, that the supply of water immediately below the Three Forks will be found sufficient for slack water navigation.

It is proposed to improve, by the appropriation recommended, the tributaries of the principal Kentucky from this point, though in a less perfect manner.

The above is submitted by

Your obedient servant,
N. B. BUFORD, *Civil Engineer.*

No. III.

REPORT

Of the survey of the Sandy river, with a view to the improvement of its navigation.

The Big Sandy river is twenty seven miles long, and constitutes part of the eastern boundary of the state. It is formed by the junction of two considerable streams, the Tug and the West fork, both of which have their sources in the mountainous part of South-western Virginia,

*Lyell's Geology.

but at points which are remote from each other; the former being a continuation of the eastern boundary for about seventy miles; whilst the latter, emanating from a more south westerly source, after breaking through the Cumberland mountain, flows, for a distance of about one hundred miles, through a rich, though mountainous part of the state.

The survey was commenced at the mouth of the Big Sandy, and it was intended to have continued it, and to have run a line of levels from that point, up the West Fork to Pikeville; but an extraordinary freshet for the season, occurred in the Ohio river in the latter part of the month of October, which backed its waters up the Sandy for about thirty miles, and which had not subsided when the survey was commenced. This circumstance prevented the possibility of obtaining the levels of the river near its mouth, and the lateness of the season rendered it unadvisable to delay in the expectation of low water. Before leaving the mouth, however, a careful examination was made, and the best information obtained of the width, depth and velocity of water flowing into the Ohio, at low water, and of the sand bar which forms in and immediately below it, and also, of the height and nature of the banks and the bed of the river. The river was then ascended in a light craft, and careful observations were made of the same objects as far up as the town of Louisa, which is opposite the junction of the Forks, and also, of the detached rocks, snags, &c. which were calculated to render the navigation unsafe, and especially of the laws which regulate the formation of its bed, and the depth of water in its channel. From Louisa, the survey and levels were regularly conducted up the West fork to the mouth of George's creek, a distance of fifteen miles, a map and profile of which accompany this report, when, unfortunately, we were met by a rise of water, which prevented all further operations with instruments: but I continued to ascend the river as far up as the mouth of Big Paint creek, making, as I passed, such a reconnoissance as was in my power. I also had the opportunity of examining the river at Prestonsburg and Pikeville, and several intermediate places.

In describing the results of the examinations which were made, it will be convenient to divide the river into sections, which will enable me to consider separately, the parts which were actually surveyed, and those which were examined in a less satisfactory manner.

These sections may be divided as follows:

1. From the mouth of Big Sandy to Louisa.
2. From Louisa, to the mouth of George's creek.
3. From the mouth of George's creek to Pikeville.

1ST DIVISION:

From the mouth of Big Sandy to Louisa.

The mouth of the river was an object of critical enquiry, as it would have been of examination, if the high water had not prevented it. The left bank is about 50 feet, and the right bank about 36 feet above the low water mark, and they are both composed of alluvium, in which there are several horizontal layers of large rolled stones, some of which are conglomerated by the oxide of iron, and the whole overlaying a sandstone substratum. The bed of the river is quicksand, which is contin-

ually shifting its place, when the velocity of the water is sufficient to carry it; but as that velocity is frequently checked at this point, at such times, the bed of the river is elevated several feet; when, at other times a rise in its own waters, when the Ohio river is low, propels the sand into that stream, and causes the formation of a sandbar in it, which though subject to constant fluctuation, usually extends half across it. The depth of the Sandy, near its mouth, is usually reduced to about 18 inches during the driest season of the year, and when the quicksand is sufficiently compact, the river is fordable at this place. By the examinations that were made some time past, by the Virginia engineers, who contemplated a bridge near this place, it was ascertained that the sand in the bed of the river overlayed the substratum of rock, to a depth of about 10 feet; and the depth to the substratum is known in many other places on this section from actual examination; for, as this is a salt region, in boring for that substance, it has been found indispensable first to sink a set of hollow gums, one overlapping the other, entirely through the sand, to the rock, before the boring with the augur could be commenced, and these gums had, in many places, to be sunk to the depth of fifty feet for that object.

The width of the river at its mouth, is nearly 400 feet wide, and it is seldom reduced to less than 300 feet, up to the junction of the Forks; and from the peculiar nature of the soil through which it flows, its regimen differs from most other rivers in the state, as it does also, from other sections of the Forks which form it. Throughout this section, the banks are alluvial, except when the meanderings of the stream bring it in contact with the base of the bluffs which environ the valley which contains it, and they yield so readily to the current, that it has necessarily carved out, for itself, a channel of such width, that the velocity is reduced to the rate which the banks are capable of resisting. The bottom of the river is nearly of an uniform depth below the surface, but something deepest near the concave side of all the bends; and is composed, with the exception of a few places, of drifting sand, which is undergoing a continual, but tardy transfer during low water, which is greatly accelerated during the higher stages. The bed, consequently, instead of being an alternate succession of deep pools and shallows, is one continued inclined plane, with a very gentle slope. The exceptions to this general character are caused by ledges of sandstone and slate, which, at a point about eight miles from the mouth, and also a short distance above the mouth of Big Blaine creek, extend nearly across the stream, and in three other places there are some detached rocks which are so situated as to be dangerous to boats descending the river at high water.

The whole country through which the river extends has the same geological features. The rocks are sandstone, interstratified with slate and bituminous coal, and also with nodules of the argillaceous oxide and other iron ores, but which are generally overlaying the rocks and found near the surface. Salt water can also be obtained by boring at any place along the margin of the river, as has been proved in many instances.

The Big Sandy receives but few considerable tributaries below the Forks, Big Blaine creek, which enters twenty-two miles above its mouth,

is the largest, and is remarkable for its falls, which are seven miles from its junction with the Sandy, where the creek is precipitated over a ledge of rocks about fourteen feet in perpendicular height. This place is admirably calculated for manufacturing establishments, for the back water of the Ohio frequently renders this creek navigable for large boats to the foot of the falls.

The Big Sandy is very serpentine in its course, though its general direction is due north, and in its elbows there are a few overhanging trees that are in the way of the navigation, and in its channel, there are a number of snags that should be removed.

2ND DIVISION:

From Louisa, to the mouth of George's creek.

This section was accurately surveyed, and many of its features can be seen from an inspection of the maps and profile. From Louisa, to the foot of Five mile shoal, the river is in every way similar to the Big Sandy, except its width, which is scarcely 200 feet: there are no pools, the fall of water between these two points, which are distant apart, four and a half miles, averages one foot and four inches per mile, and its bed is composed of drifting sand. Five mile shoal is near half a mile in length, and is formed by the strata of slate and sandstone, which compose the banks of the river at this place, passing directly across the bed of the stream, thus forming a natural dam, which makes a pool of eight feet depth immediately above it, at low water. The fall over this shoal, which is principally distributed at four different places, was three feet three inches, and its depth was, in no place, less than one foot at the time the survey was made, when, from careful measurements, it was ascertained that the volume of water flowing, was 19152 cubic feet per minute, which may be reckoned to be about double the quantity flowing at the lowest stage of water.

Above this shoal, to the mouth of George's creek, the river is a succession of pools and shoals, which are very similar in character to the one just described, and quite unlike those bars, which, in limestone regions, are ejected from the mouths of the creeks into the main river. The creeks that enter the Sandy, do not, in any instance, cause deposits capable of damming up the stream; they only discharge sand, which yields to the current, and is as apt to be found obstructing the channel at any other place, as at the mouths of the creeks. The pools between the shoals are scarcely ever less than three feet in depth, but in this section, there are several places where the river is wide, and its bed is slate, so that its depth, for considerable distances, is reduced to about six inches at low water. These shallows, and the obstructions caused by each one of the shoals, are the only obstructions to the navigation of this section, with light keel boats, when the river affords as much water as it did when the survey was made. There are a few detached rocks and many snags in it which would be concealed, and thus dangerous for boats passing at a higher stage of water.

This section receives four tributaries that are sufficiently large to afford valuable mill privileges, and on one of them there is a valuable one erected for the manufacture of Flour.

3RD DIVISION:

From the mouth of George's creek to Pikeville.

This section was but cursorily examined. It was, however, ascertained that its general character was so much like the one last described, that the same adaptation for any one mode of improvement, would be found in both. Its length is about sixty-five miles, and continues throughout, a succession of pools and shoals. The river is considerably reduced in magnitude above the mouth of Big Paint creek, and still more above the mouth of Beaver creek, but it is also, reduced in width as well as in volume, so that the ordinary navigation is nearly as good in this upper section as it is lower down.

The geological features of the country bordering this section, are similar to those already described. The whole country is rich in mineral wealth, and though no enquiries have been instituted, as yet, to explore its hidden treasures, enough has been found by casual observation, to have justified the erection of the most extensive iron and salt establishments, if the navigation of the river had afforded a safe, and a certain outlet to the markets of the country. The bottom lands bordering the West fork and its tributaries in Pike, Floyd, and Lawrence counties, are extensive, and of the richest character. They produce annually, a surplus of 80,000 bushels of corn, which is shipped to the markets on the Ohio river. From the same section, there are, also, annually shipped 70,000 pounds of ginseng, 40,000 pounds of peltries, 2,500 cords of tan bark, 50,000 bundles of staves, 10,000 cords of wood, and 30,000 bushels of coal, besides large quantities of saw logs and cedar, and locust posts. The value of these exports, is, at the least, 150,000 dollars.

The importations into these counties, being entirely dependent upon the navigation of the river, are not very great. The tonnage, from the best information attained, may be reckoned at about 350 tons annually.

Before proposing a plan for the improvement of the navigation of the Sandy river, it will be proper to enquire into its present state. The river has upon its margin four beautiful towns, which are admirably situated, as depots for the trade of the adjacent country: Catlettsburg, at its mouth; Louisa, 27; Prestonsburg, 80, and Pikeville, 110 miles higher up the stream. Between the first and the second towns, the freshets of the river or the back water from the Ohio, cause a sufficient depth of water for a navigation with steam boats of 100 tons burthen, for at least six months of every year, and for keel boats of 30 tons, for about nine months. There is a sufficiency of water, and no greater impediments than there are between Frankfort and the mouth of the Kentucky, for steam boats of the smaller class ascending to Prestonsburg for about five months in the year, and keel boats for nearly eight months. At Pikeville, the river is navigable for large boats and rafts for about four months, and keel boats of light draft might ascend to that place for about seven months in the year. No steam boat has, as yet, ascended the Sandy river for any considerable distance, but the many impediments to the navigation which have been removed during the last year, will probably induce the owners of boats to venture up that stream during the next season.

Plan of Improvement.

If it were practicable to improve the navigation of the Big Sandy, and its West fork by a system of Locks and Dams, capable of passing a boat of 100 tons burthen, there can be no doubt, that it would be the mode of improvement which would afford greater facilities for the trade of that section of country than any other plan which has ever been adopted for the improvement of a river. Whether this mode of improvement is practicable, or not, on these rivers, the circumstances of the survey were so unfavorable to a minute investigation of all the facts that were necessary to be known in order to determine this question, that I am without the means of deciding it: but, if reliance can be placed upon the information obtained, which has been already stated, the peculiar features of the Big Sandy, especially at its junction with the Ohio river, present almost insurmountable difficulties to this mode of improvement. If it should be thought necessary, a future examination will enable us to decide this question.

A mode of improvement which has been already partially applied on the West fork of the Sandy, and with manifest advantage to the navigation, is that of improving the natural bed of the river, by clearing the channel and opening sluices through the shoals; so far as this goes to remove all the obstructions that could endanger the passage of steam or other boats, when, during the freshets the water is of sufficient depth, and at lower stages of water, to enable small boats under the management of three or four men, with a load of from ten to twenty tons to move up or down the stream without delay at any place, it is attended with benefit.

In the infancy of a country, this is the first mode of improvement which suggests itself, and I am of the opinion, that with all its imperfections, it could be so applied on the Sandy river as to secure a safe passage for steam boats to Prestonsburg and Pikeville for from four to six months every year, and for light keel boats for nearly the whole year.

The following estimates are made for this mode of improvement.

1ST DIVISION.

1. For blasting and removing 300 cubic yards of detached rocks, at 50 cts. per cubic yard,	\$150 00
2. Removing snags, trees, &c. for 27 miles, at \$10 pr. mile,	270 00
Total,	\$420 00

2ND DIVISION.

1. Removing 200 cubic yards of rock, next the right bank opposite Chapman's, at 50 cts. per c. yard,	100 00
2. Opening channel 50 feet wide in Five mile shoal,	200 00
3. Opening channel 50 feet wide in Gaviot's shoal,	100 00
4. Opening channel 50 feet wide, and removing the rocks near the left bank in M'Lure's shoal,	150 00
5. Opening channel 50 feet wide and removing rocks near the left bank in Shannon's shoal,	130 00

(Carried forward,)

\$680 00

(Brought forward,)	\$680 00
6. Cutting channel 50 feet wide through the slate bottom, and removing 50 cubic yards of detached rocks below Griffith's creek,	100 00
7. Opening channel 50 feet wide and removing large rocks near the right bank in Chapman's shoal,	150 00
8. Opening channel 50 feet wide, and removing large rocks in the Buffalo rock shoal,	150 00
9. Cutting channel 50 feet wide through slate bottom between Picket's, 63 and 66,	300 00
10. Opening channel 50 feet wide through the Fish Trap shoal,	200 00
11. Cutting channel 50 feet wide through slate bottom below George's creek near Picket's, No. 73 and 77,	100 00
12. Removing snags, trees, &c. for 15 miles, at \$10 per mile,	150 00
Total,	1,830 00

3RD DIVISION.

This division was not examined with sufficient detail to furnish estimates, but it is believed, that an expenditure of 150 dollars per mile for the whole distance, sixty-five miles, which amounts to 9,750 dollars, would be sufficient for the object which is proposed to be accomplished.

Whole amount of estimates, \$12,000 00

I therefore respectfully recommend that the board would ask of the legislature the appropriation of twelve thousand dollars for the improvement of the navigation of the Big Sandy river and its West fork, to be expended under their direction.

The above is respectfully submitted,

N. B. BUFORD, *Civil Engineer.*

No. IV. REPORT

Of a reconnoissance of the route of a road from Pikeville to the Virginia line at the Sounding Gap in the Cumberland mountain.

It is proposed by this road to open a communication between a point on the West fork of the Sandy river, up to which it is navigable for a large portion of the year, with a road leading from the eastern counties in Tennessee, through the southwestern part of Virginia.

The road uniting these two points would be about thirty miles in extent, and could be carried along the valleys of the streams which intersect this mountainous region without encountering any very difficult elevations. Its route is distinctly marked out by nature and would be as follows. Along the margin of the Sandy river to the mouth of Island creek; up Island creek to the Gap which separates its waters from Shelby creek; through that Gap, and up Shelby creek to the mouth of Robertson's creek; up Robertson's creek to the Gap which separates its

waters from the Long Fork of Shelby creek; through that Gap and down the Long Fork to its union with Shelby creek; up Shelby creek and through the Gap which divides its waters from Elkhorn creek; up Elkhorn creek to the foot of the Cumberland mountain, and up this mountain to the Virginia line in the Sounding Gap.

That part of this road which lies in the valleys of the streams, could be graded to as nearly a level as would be desirable. The first mentioned gap could be passed at a grade of about three and a half degrees, and the next two gaps at about half that angle; and the Cumberland mountain could be ascended by extending the road up into the Gap which separates the waters of Elkhorn creek from the head of the Kentucky river, which is elevated to about half the height of the Gap in the Cumberland mountain, and from thence to the top of the Sounding Gap, at a grade of not more than two and a half degrees. It could, also, be ascended directly from the valley of Elkhorn creek, at a grade of about three and a half or four degrees, but at a cost which would be double that required to carry it the longer route.

There would, also, be this argument in favor of the longer route; the last part of the road would be common to the roads leading from Pikeville, and from Hazard, in Perry county, to Virginia, the latter of which is now a mail route.

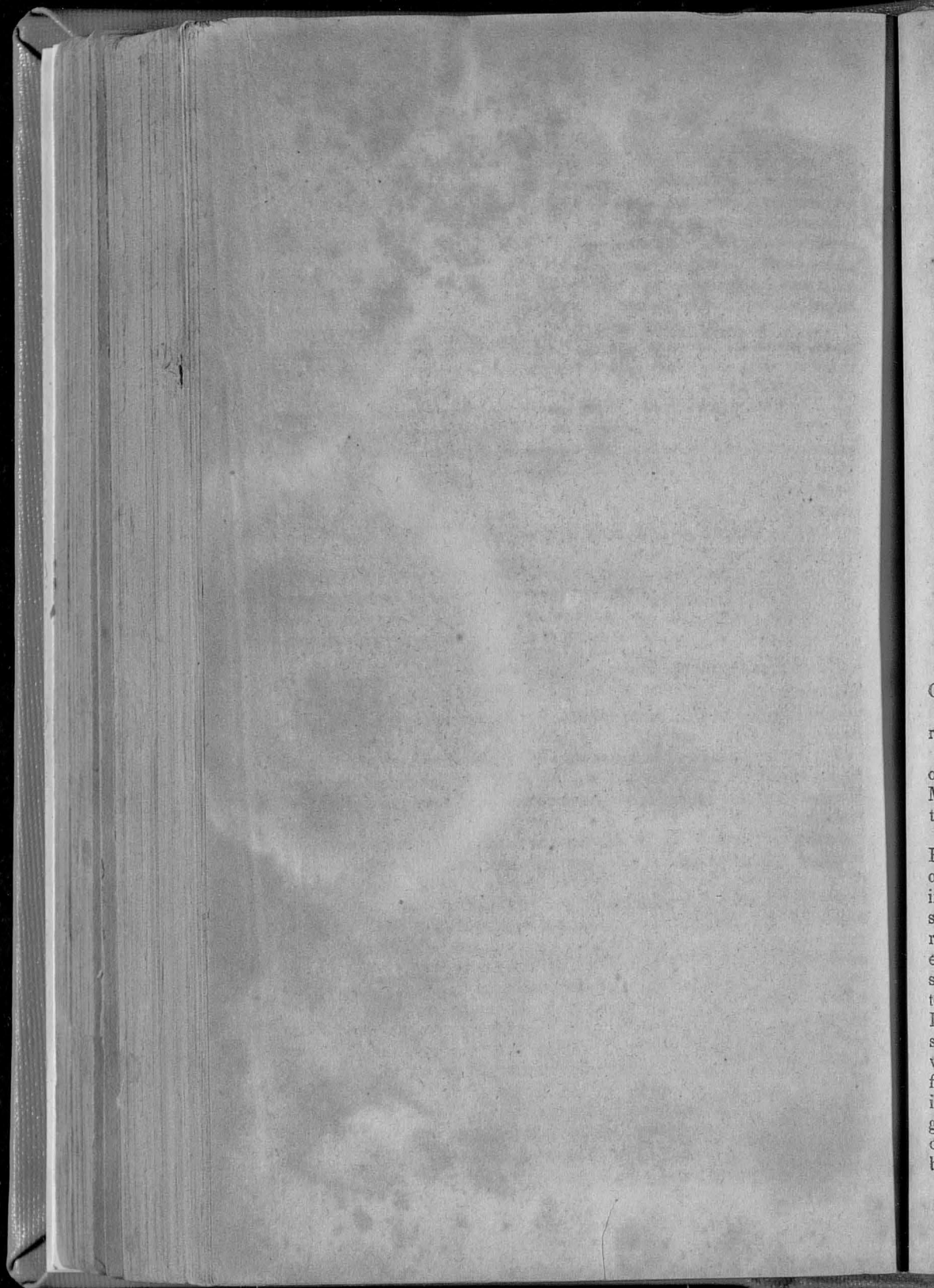
To construct a road through this section of the state, which would be sufficient for the driving of stock at all seasons, and for the passage of wagons in the Summer and Autumn, when the waters of the creeks, which have to be frequently crossed, are not swollen, would be of great benefit to the community, and could be made at a comparatively small cost. It is also thought, that as there is a road now being constructed through Russell county, in Virginia, which is intended to connect the Sounding Gap with roads leading to Abingdon and East Tennessee, that the merchandize which is brought from the Atlantic cities to that section of the country, could be most advantageously imported to them by the way of the Ohio river, the Sandy river, and the proposed road.

The route of road which is thought to be the best, would be about 32 miles in length, and may be estimated to cost not more than two thousand dollars for the ascent of the Cumberland mountain, and at the rate of two hundred dollars per mile, for the remaining thirty miles, making the whole cost eight thousand dollars.

The above is respectfully submitted

By your obedient servant,

N. B. BUFORD, *Civil Engineer.*



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REPORT
OF THE
PRINCIPAL ENGINEER,
OF HIS
EXAMINATION OF
ROCKCASTLE RIVER.

FRANKFORT, January 30, 1836.

To the Honorable, the Board of Internal Improvement of Kentucky.

GENTLEMEN:

This paper will communicate my Report upon the Rockcastle river.

The letter of instructions, directing the examination of this river, and of the South fork of Kentucky, was received from his excellency Gov. Morehead, on the 1st Sept. last, and immediately thereupon I set off on that duty.

At the instance of E. P. Johnson, Esq. one of the members of the Board, I was accompanied by Curran Pope, Esq., a young gentleman of Louisville, as an assistant. We reached the town of Mount Vernon, in Rockcastle county, on the morning of the 4th Sept. My instructions suggested the propriety of consulting with Gen. Smith of the Senate, remaining at this place, as to the most proper point for commencing my examinations, &c. We halted a few hours accordingly. Upon consulting with that gentleman, and other citizens of the county, it appeared to be their wish that the examination should commence at the mouth of Big Raccoon creek, represented to be about twenty miles (by the courses of the river,) above the mouth of Round Stone creek, the point near which the Wilderness Turnpike road crosses the Rockcastle, and about fifteen miles north westwardly of the Grove creek Salt works. The improvement of the river to that point, was stated to be an object of great interest, in order to provide for the transportation of salt into the country bordering on the Cumberland river, between the falls of Cumberland and Nashville.

My time, however, being pressed by the necessity of returning as early as practicable, to undertake the survey of the Kentucky, between the mouth and Frankfort, it was necessary to despatch the examination of this river as early as possible.

The information furnished me by Gen. Smith and various others, represented that portion of the river designated above, as having very nearly the same general character as upon the same distance below the mouth of Round Stone. Supposing, therefore, that if any data in reference to the portion above the mouth of Round Stone should be thought necessary, that they would be furnished by the next equal portion of the river below,—it was determined to commence the examination at the latter named point.

Having, therefore, made some necessary preparations, and engaged two of the citizens of Rockcastle county to aid in the operations of the examination, and to act as guides along the river, I again in the evening set forward, and arrived at the ford of Rockcastle early next morning. The remainder of this day was spent in shaping a canoe for the conveyance of our baggage, instruments, &c. from the rough block of an unfinished new one, this being the only craft of the kind I could procure. The river at this point, exhibits a tolerably promising appearance, but from the indefinite accounts I received of the portions of it below, I perceived that I should have to traverse a region measureably unexplored. I, therefore, found some difficulty in forming beforehand, a definite opinion of its capacity for improvement, although I was inclined to regard it as equivocal. However, as it appeared to be the general wish of the citizens of that country that I should make a *survey* of the river, and as my instructions seemed to intimate that I would be guided, in some measure, in my operations by this consideration, I concluded to take the courses of the river by the compass, and as my time would not allow of making exact measurements, to estimate, by the eye, the distances from point to point along the courses and fleures of the river. This method of conducting topographical survey is frequently practised, as being considered sufficiently accurate for general purposes. A practised eye can estimate distances thus, within a near approximation to the truth.

I have in the office a Report by Col. Long, U. S. Top'l. Engineer, upon an extensive survey conducted by this mode, having for its object the expenditure of an appropriation, previously made, by the legislature of Tennessee.

The low stage of water, and the frequent occurrence of obstructions, at each of which it would be necessary to stop, in order to examine them and estimate their cost of removal, and over which our canoe must frequently be dragged, would, I conceived, render our progress somewhat tardy, and that, therefore, the taking the courses of the river would add very little to unavoidable hindrance. This supposition I found, in the course of the survey, to be true.

The survey was commenced on the morning of the 6th Sept., at the mouth of Round Stone creek, in Rockcastle county. The courses of the river were taken alternately by Mr. Pope and myself, as we occa-

sionally relieved each other. The estimates of distances, as also of the fall of the river from point to point, were made by myself.

In the evening of the 12th, we reached Col. Quarles' Mill, $\frac{1}{4}$ mile above junction of Rockcastle and Cumberland. At this point, we were detained by sickness, until the next evening, before the balance of the survey was completed to Cumberland river. For two or three days previously to reaching this place, every individual of the party had been seriously indisposed; and in consequence, the rugged character of the river, and of the adjacent uninhabited country had rendered our progress extremely laborious, and placed us beyond the reach of comfortable accommodations.

Having completed the survey as above stated, Mr. Pope and myself, on the morning of the 14th, proceeded towards Barbourville, in pursuance of my instructions, being obliged to leave Messrs. Owen and Langford (who had accompanied us from Mount Vernon,) at the Mills above mentioned, both much indisposed, the latter especially, he being unable to travel.

In the course of my examinations during this excursion, including the route travelled on my return to commence the survey of the Kentucky, I traversed nearly the entire country watered by the Rockcastle and its upper tributaries.

The different tributary streams which constitute these upper waters, take their rise in the counties of Madison, Rockcastle, Laurel, and Clay, and uniting their waters at various points, principally along the confines of Laurel and Rockcastle counties, form the Rockcastle river, which after flowing in a generally south western direction, 75 to 80 miles from its sources, falls into the Cumberland river, upon the line dividing the counties of Whitley and Pulaski. The average breadth of the portion surveyed, at a midling stage of water, would probably be at the mouth of Round Stone 150 ft., and for several miles near the mouth of the river, about 200 ft. Immediately at the mouth, it is 300 feet wide at low water.

The extent of country drained by the waters of this river, measured on straight lines, may be estimated at 45 miles in length, by an average breadth of 20 miles, and its superficial area at 900 square miles.

The general face of the country is mountainous, rough and broken. Along the upper part, however, a considerable proportion of this tract, presents rather the appearance of an elevated plateau, or rolling table land, than the aspect of a mountainous district. The surface, however, is broken and irregular throughout, and especially the lower part.

From the mouth of Round Stone, where the survey commenced, to the mouth of Rockcastle, the river flows in a narrow valley, flanked on both sides by lofty and rugged mountains, presenting usually on each side, and at short distances from the river, a continuous line of mural precipices, composed of horizontal layers of sand stone, several hundred feet in height. Along the bases of these cliffs, a deep lodgement of loosened boulders and broken fragments of rock, that have been precipitated from the superstrata, and incorporated with, and covered by, a deep stratum of soil, have thus formed on each side a narrow sloping piece of ground, descending from the face of the hills to the banks of the river.

In some cases, these slopes are of considerable extent, comprising several hundred acres, and present a tolerably regular, although rolling and uneven surface; but in general, these are narrow, and disfigured by gorges and ravines worn across them, by the torrents that, in wet weather, descend from the contiguous mountains-

In a few instances considerable bodies, and frequently narrow strips of level low grounds intervene between the foot of these slopes and the river banks; generally, however, the low grounds are confined to quite narrow skirts. On both sides, the river nearly the whole way, is flanked by the narrow slopes above described.

The general height of the mountain country, on each side, is probably 600 to 800 feet above the surface of the river, and in some cases perhaps even higher. These precipitous peaks gradually increase in height as we approach the Cumberland, in which neighborhood, they appear to be higher than at any point above.

Throughout this region of country, the narrow valley in which the river flows, resembles rather an immense ravine, than what we usually understand by the term valley of a river.

The course of the stream is crooked and irregular, and frequently interrupted by sudden turns, and abrupt deflections from point to point of the protruding spurs and angles of the mountains that enclose it.

The soil of this district, partakes of the usual properties observable in regions of sand-stone formations. It is meagre, thin, and generally poor; although with proper culture, it seems to produce more kindly than its appearance would indicate. This remark is made in reference to the upland districts. Along the valley of the river, and of the creeks, as also upon the north side of the hills and basis of the mountains, there are occasionally bodies of fertile lands; generally, however, lands of this description is confined to strips and patches of limited extent. Along the river I observed a great deal of very poor land; yet in many instances considerable tracts occurred that appeared to produce luxuriantly. What corn I observed among the scattered settlements upon the river, generally appeared to flourish well. Upon the slopes and hill sides, I noticed some fields of tobacco that looked very finely. It was also stated to me by some of the inhabitants, that hemp had been tried with success, but had been discontinued on account of their inability to get it away, or otherwise dispose of it. The same statement was made me by a man living in Whitley county, between the mouth of Laurel River and Barboursville, 22 miles from the latter place, and about 18 from the mouth of Rockcastle. He informed me that he, a few years since, cultivated several acres of hemp, and that it did well, but that he discontinued the growing of it on account of the difficulty of getting it to market. His farm is on the upland country, and is very similar to the table land, upon the upper waters of Rockcastle, and in short to that of the mountain districts generally. Upon the whole, the soil of this district of country is, generally speaking, comparatively poor and unproductive.

We have, however, perhaps accustomed ourselves to judge of soils by the standard of the rich lands presented in the older settlements of Kentucky: I think I do not err, when I state my opinion, that a large

proportion of the territory of the New England States, embracing also a part of the States of New York, New Jersey and Pennsylvania, presents a soil not naturally more fertile than that district of Kentucky, which is embraced between the bench denominated the *Wilderness*, or the *Big Hill*, on one side, and Cumberland Gap on the other, comprising the counties of Rockcastle, Pulaski, Whitley, Laurel, Clay, Knox and Harlan. In this remote region, however, few inducements are offered for the cultivation of more than merely to supply domestic want. If improved means of transportation were made to penetrate this country, even its agriculture, by the introduction of more careful husbandry, it is thought, might be made to yield a more profitable return, than its present auspices would seem to indicate. It must, however, be to other resources than the productions of agriculture that this country must look for any material improvement, if any can ever be made to reach it.

The formations in this region, consist of sandstone in horizontal layers, usually of a hard texture and a reddish complexion, interspersed with coarse silicious and quartzose conglomerates, resembling some kinds of mill-stone grit, and interstratified with numerous veins of bituminous coal. Frequent localities occur where saltwater can be procured. Extensive banks of iron ore, are also represented to exist in the country. These articles are represented as existing throughout its whole extent, but in the greatest abundance near the mouth of the river.

The article of iron is less plentiful near the head of the river, but as we approach its mouth, it is stated to me to occur in great abundance.—The productions of coal and salt appear also to become more and more profuse, as we approach the mouth of the river; especially the latter, which may be literally pronounced to be exhaustless. Salt being less obviously observable, could not be as often detected, or as distinctly recognized; but the efflorescences, and mineral indications, which denote the presence of this substance, were observed on many localities; and its known occurrence at various other points, not personally witnessed, was stated to me, by various persons acquainted with the country.—Wells were being sunk, as I was informed, upon the waters of Round-Stone and Big Raccoon creeks, at the time I was in that neighborhood. I witnessed an establishment nearly ready to go into operation, about 14 miles above the mouth of the river, owned by Mr. Stephen Langford. He informed me that the water was so strong that it was difficult to dissolve salt in it. At Somerset, in Pulaski county, where the navigation of Cumberland River is more accessible, I learn that the manufacture is carried on to considerable extent. And at other points there are some dilapidated works; and perhaps others in operation on a small scale. The quality and strength of the water generally, is represented to be equal to any in the State.

As regards the abundance and quality of the article of coal, I can speak from ample personal observation, having noticed and examined it in frequent instances. Sometimes it might be observed in detached lodgments, separated from the superstrata and tumbled down the cliffs; at other points, lying in place, interstratified among the shales and sand stones in the cliffs and promontories along the river. Its abundance was also indicated by the quantity of it to be seen, in water-

worn forms, rounded by attrition and lodged along the sandbars of the river, or deposited at the mouths of creeks and branches, by which it had been borne from the adjoining hills.

Of Iron ore, I noticed some indifferent specimens, along the river, but no body of it of any extent. Owing, however, to ill health and the additional inconvenience of a lame foot, I made no critical search for it. I was, however, informed by various persons, that extensive banks of it occur, generally distant a mile or two from the river.

This substance appears to be most abundant along near the mouth, and, also along the Cumberland in that vicinity. I was, also, informed by Uriah Gresham, Esq. who resides at the mouth of Round Stone creek, that large beds of it lie between that point and the mouth of Big Raccoon. I noticed throughout the whole extent of the survey, that the waters of the river, and of the creeks, springs, branches, &c. were more highly impregnated with mineral substances, than I ever remember to have noticed in any other region of equal extent. This mineral impregnation I supposed to be chiefly iron.

Mill stones of an excellent quality, are manufactured in the vicinity of Round Stone creek. The proprietor informed me, that independently of supplying a considerable demand for use in this, and the adjoining states, he effected his principal sales at Louisville. They are transported on waggons to that city, and thence shipped to the various counties along the Ohio, Mississippi, and Missouri rivers.

The foregoing appear to be the most prominent resources presented by the mineral and geologic formations of this region.

The forests of this country present extensive supplies of excellent lumber. The elevation of this district, and the consequent gradual growth and maturity of timber, give to it a solidity and durability greatly superior to that grown in more fertile or warmer regions, which renders it more valuable for almost any purpose. In these forests may be found nearly, or perhaps quite, all the ordinary descriptions of timber usually in demand in the lumber market. Near the mouth of the river this trade is now carried on as far as the navigation will permit, but the obstructions will only allow of getting it out a short distance.

I forgot to notice, in its proper place, that there are coal mines in extensive operation a few miles below the mouth of this river; whether these mines are capable of supplying the full demand for the article in the market below, I am not fully apprised. I learned, however, while in this country, that the proprietors of the coal mines on the Cumberland, were eagerly making investments in the Rockcastle coal lands.

Upon summing up the various latent resources which appear to be presented by this country, they seem to consist principally in the articles of iron, coal, salt, lumber, mill stones, and the productions of agriculture. Other items, now purposely overlooked, and others again, which it would be difficult to foresee at this time, would of course be added upon the development of these.

The population of this country is sparse, and the amount of its taxable property is extremely limited; and these resources, whatever may be their ultimate capacities, are, at this time, almost entirely neglected. This must, in all probability, continue to be the case, until these

capacities can be unfolded, and rendered available, through the agency of improvements made to reach them. Whether any measure having this object in view, would at this time be premature, or otherwise, is a matter upon which the opinion of the Board can be given with much greater ability than any views of mine.

Any improvement, therefore, undertaken in this region, must, in a great measure, contemplate the developement of these resources, rather than the accommodation of an existing trade. It is, however, probable, that 50 to 60,000 bushels of salt would annually descend the river, from the manufactories at the Goose creek works, until works could be erected on the Rockcastle, capable of supplying the country along Cumberland river. Also, a few boat loads of Mill Stones, and rafts of lumber, and, perhaps, some other articles, which *are now* annually produced. This would make up the sum of the trade in *present productions*. For a trade beyond this, developements resulting from the improvement, would have to be relied upon.

(I will here observe that I have, by me, two letters, severally from Gen. Daniel Garrard, and Dr. J. C. Wilson, of Clay county, both of whom are, as I understand, extensively concerned in the salt manufacture at Goose creek. Both these gentlemen strongly urge the improvement of Rockcastle, as the means of creating an extension of the manufacture of salt at that place.)

I have thus endeavored to bring into view, a summary of the auspices presented by the circumstances of the country, previously to considering the details of the river, inasmuch as it will be seen, that considerable obstacles must be encountered, in order to effect any improvement; and as it regards the preponderance of considerations, the Board will be better able to form an enlightened opinion upon the subject than I am.

The survey, as already noticed, was commenced at the mouth of Round Stone creek, (near the wilderness turnpike gate,) and was continued from thence to the mouth of the river, courses being taken by the compass; the distances, and, also, the fall of the river from point to point, were estimated by the eye, as correctly as the nature of the case would permit.

The entire distance from the point of commencement to the mouth of the river, thus estimated, is $48\frac{1}{2}$ miles; and the total fall occurring on that distance is computed to be $168\frac{1}{2}$ feet.

(The above, are the sums produced by adding together the various component quantities, estimated in detail, at each point along the river.) The general distribution of the fall upon separate portions of the river, found by the same process of adding the details, is as follows:

On a distance of $35\frac{3}{8}$ miles from the commencement of the survey, the total fall is 84.25 feet; on the succeeding distance of $5\frac{1}{4}$ miles, the fall is 44.50 ft.; and on the remaining distance to the mouth of the river, $7\frac{1}{4}$ miles, the fall is estimated at 39.25 feet.

If this estimate is correct, the average fall on the first $35\frac{3}{8}$ miles, is less than 2 $\frac{1}{2}$ ft. per mile; on the next, $5\frac{1}{4}$ miles, the average fall is nearly 8 feet per mile; and on the remaining $7\frac{1}{4}$ miles the average fall is a fraction over 5 ft. per mile.

The fall on each of these portions is, generally, very equally distri-

buted throughout; consequently, the bed of the river presents, at low water, either extended inclined planes, over which the water runs in a shallow stream, on a bed of rounded rocks and gravel, or, in other parts, a succession of short pools, alternating with frequent rocky shoals and obstructions. This conformation gives to the river an appearance, more diminutive—or, as containing a less volume of water than is really found in it by measurement.

The course of the river, as heretofore observed, is characterized by frequent short turns and zigzag windings. And as the estimate of the fall would intimate the indications along its course, especially the lower part, denote that it is a turbulent stream at high water.

As I had previously suspected, I found the course of the river to lie through a wild, and comparatively uninhabited country, and so much neglected, that obstructions and other localities along the stream, which in a settled country would have been of obvious notoriety, appeared to be destitute of names. Among the numerous obstructions which make up the list observed, the only ones of any note which appear to have been sufficiently noticed to be generally known by any popular appellation, as far as I could learn, are the *Ball Alley*, the *Beech Narrows*, and the *Big Narrows*, three points situated in the lower district of the river, and constituting the most prominent obstructions in it. These three points, considered collectively, in reference to the expense of their removal, it is computed will cost nearly $2\frac{1}{2}$ times as much as the whole of the remaining ones together.

Besides the three above named, there are 78 others of minor importance. The whole number noted in the course of the survey is 81.

Each of the obstructions above named will be separately spoken of in its appropriate place. The remaining 78 will be disposed of *en masse*.

Nature seems to have affixed different features upon two portions of the river. The subject will, therefore, be hereafter separately treated, under the two general heads of the *first* and the *second sections*. The *first section* will embrace 35 miles, beginning at the commencement of the survey. The *second section* will comprise the remaining $13\frac{1}{2}$ miles to the mouth of the river.

Sufficient general description of the River valley has already been given.

Section 1st. Along this section, the valley of the river is usually somewhat broader, and the hill sides are more sloping than they are along the second section. This is especially the case along the first 20 miles. The banks of the river are also of more earthy texture; and both the banks and bed, contain fewer and smaller rocks than are met with on the lower section. Generally, the river presents a succession of rather shallow pools, separated from each other by extended shoals, over which the water runs in a shallow stream, and with a moderate fall. The bottom is composed mostly of rounded masses of stones, of various sizes, from that of paving stones to blocks, or masses, of several hundred pounds weight, the interstices between which, are filled with gravel, and often overgrown by water grasses and sedge. Along in the angles and flexures of the river, are frequent bars, consisting of large deposits of these rounded rocks and gravel, which at low water deflect

the current and render it very crooked, but which becoming submerged in a higher stage, the current of the river is then more direct. Occasional groups and clusters of boulders occur, both in the channel and along the shores, but they are of smaller sizes and generally fewer in number, and more detached from each other than those observable along the second section.

As we approach the lower end of this section, however, large rocks, both detached and in clusters, standing in the channel, or protruding from the shores become more frequent, and occasionally obstruct the river to a greater or less extent. The most extensive obstruction of this class, occurring on this section of the river, is the one before noticed under the cognomen of the *Ball Alley*.

The *Ball Alley* is situated on the lower part of the first section, and between 17 and 18 miles above the mouth of the river.

The obstruction is caused by huge boulders of rock, which form the shores at this point, protruding themselves in angular clusters into the channel of the river, and leaving a long narrow avenue open in the middle, and flanked on each side by jagged lines of rocks. The avenue thus left, extends by zigzag courses the whole length of the obstruction. The general height of the rocks which form these enclosing lines, is 10 to 15 to 20 ft. In some cases, the angular points from the shores approach each other so as nearly to block up the entire passage; in others, they retire, leaving large open pools of deep water studded with sunken and half sunken rocks. The whole extent of this obstruction is about $\frac{1}{2}$ mile; but the principal part, or "*Ball Alley*" proper, extends about 300 yards. The course of the river is quite straight, and the rocks along the sides having, at a distance, the appearance of pretty uniform height, the view of this place, as it is approached on descending the river, gives to the avenue very much the appearance of an open straight passage, enclosed by side walls, say 20 feet high, the avenue appearing to be also about that width. At the lower end of the avenue the view is closed by an immense rock, rising 15 to 20 ft. above all the rest, and 35 to 40 ft. above low water, and presenting a front very nearly resembling a common ball battery. From this point, the rock seems to stand directly in the channel, but upon approaching it, it is seen that there is room enough for a boat to pass without inconvenience.

The fall along this part of the river, is computed to be 5.75 ft. on a distance of 13-8 miles. The fall on the extent of the "*Ball Alley*" is thought to be $2\frac{1}{2}$ feet.

In point of expense of removal, this obstruction is estimated to be nearly equal to $\frac{1}{4}$ the whole presented on this section of the river.

The remaining obstructions present, generally, the same character, (to-wit, rocks, either isolated or occurring in clusters,) but of greatly inferior extent to this one. Including, with obstructions of this kind, the removal of fish dams, and the clearing of some points of drift wood, snags, &c. the whole number of obstructed points, on this section, is 51.

Section 2d. The river valley becomes narrower, and the faces of the mountains become steeper, and bind more closely upon the river, as we enter upon this section. The fall of the river also becomes greatly accelerated, and its banks and bed present frequent and formidable obstructions.

The principal of these obstructions, occur between the head of the section and the foot of the Big Narrows, a distance of $5\frac{1}{2}$ miles. On this distance the river presents a succession of steep shoals, with a bottom of gravel mixed with rounded rocks, naked at low water, and studded with straggling boulders, or more compact assemblages of large rocks, which in a high stage of water obstruct the channel. The two before named obstructions, to-wit, the *Beech Narrows* and the *Big Narrows*, occur on this subdivision.

The Beech Narrows. The particular obstruction to which this appellation is applied, extends about 150 to 200 yards, although more detached parcels of the same kind of obstructions extend some distance above and below this point. This locality is two miles above the head of the Big Narrows, and eleven miles above the mouth of the river. The obstructions are similar to those at the Ball Alley, excepting that they are neither so extensive, nor so regularly nor compactly disposed. The fall in this vicinity is estimated at 4 feet on a distance of $\frac{1}{4}$ of a mile—the local fall on the distance of the obstruction, 18 inches.

The Big Narrows, are situated about 9 miles above the mouth, and are regarded as constituting an obstruction more than equal in point of formidability, to all others collectively, which occur in the extent of the survey. This pass is located between two opposite spurs of mountains, from the bases of which the floods have swept away all soluble matter, and left an immense bed of loosened boulders, intermixed with smaller blocks and fragments, disjoined from the strata of the mountain, and remaining in the bed of the river. The obstruction extends about $\frac{1}{4}$ of a mile. The general height of the rocks above the surface of low water is 10 to 15 feet, intermixed and wedged with others of various smaller and larger sizes, the largest rising to a height of probably over 20 feet above the surface of the water. So closely packed are these rocks, at one point, that the passage of our canoe was found impracticable. At various other places they are so interlocked and jutting by each other, as to leave but narrow zigzag chasms for the passage of the water. Along the middle of the channel are occasional open pools of considerable extent, and deep water, studded with sunken or half buried rocks. These pools are separated from each other by angular clusters of high rocks, protruding from the shores and forming bars across the river. The tops of some of these bars are so nearly compact that one can almost walk across the river on them, while the bases of the rocks have been disintegrated by attrition, so as to afford large chasms for the passage of the stream.

The course of the river over the narrows is nearly straight, and at the foot of the obstruction the winter floods have scooped a spacious basin, of great depth, extending 400 to 500 yards.

This rapid occurs in the steepest part of the river; the aggregate fall on a distance of $1\frac{1}{2}$ miles, comprising some detached obstructions above this, is computed at $26\frac{1}{2}$ feet—the local fall over the obstruction is estimated to be $16\frac{1}{2}$ feet.

The expense of effecting a removal of the obstructions at this locality, including the Beech Narrows, is considered equivalent to nearly $\frac{1}{2}$ the whole cost of removing all obstructions in the river.

Throughout this section the volume of water passing in the river, appears manifestly considerably enlarged, and increases from point to point by the supplies brought in by a number of apparently lasting and copious tributaries; and as we descend below the Big Narrows, the river becomes, generally, considerably wider and deeper than it is above, and continues so until we reach the head of Quarles' Mill pond, which sets the water 1½ to 2 miles above the mill. The dam of this mill is about 1 mile from the mouth.

The general features presented by this part of the river are a succession of deep pools separated from each other by steep rocky shoals. In some cases, upon the crests of these shoals, are rocks either fixed, or half buried among the rounded stones that form the bottom, that would be in the way of craft descending the river. In some others also, are huge solitary boulders, standing in deep water, in the pools; also, occasionally detached groups, situated on the exposed crests of shoals, which allow a free passage for the low water volume, but choke the stream, and would endanger, or prevent navigation, in a high, or intermediate stage.

About 1 mile above the mouth, a dam is thrown across the river, and the water is led, by a race, to a saw mill belonging to Col. Quarles. From the foot of this dam, a gravelly island, and shoal extends 4 to 500 yards. From this to the mouth of the river, is a broad and deep pool, the Rockcastle being estimated to be 300 feet wide at its junction with the Cumberland. The width of the latter river, at the same point, is about 400 feet.

The whole number of obstructions occurring on this section of the river, including such as have been described, together with fish dams, snags, &c., including also, two indifferent mill dams, is 30. Of these mill dams, the first belongs to Stephen Langford, about the head of this section. The mill, as also the dam, are of very indifferent and temporary construction. The other, is the one before mentioned, near the mouth of the river, and the dam is also a cheap structure.

As it regards any improvement of the Rockcastle, the only thing which, it seems to me, can be done, with any hope of benefits from the improvement, commensurate with the cost of the undertaking, would be to provide a down stream navigation, for flat boats, during the high water season.

This *can* be done—but careful attention should be paid to the graduation and construction of channels intended for such an improvement.

The declivity at the Big Narrows, is pretty abrupt, yet there are many improvements of this sort, in use, over which the descent is considerably steeper.

The Suck, in the Tennessee river, is an example; also, many of the schutes constructed for passing boats over the crests of dams, upon several of the rivers of Pennsylvania, and in various other parts of the country, are greatly steeper.

Supposing that this would be the only improvement, (if any,) that would be contemplated, my examinations, as also my estimates, have been made with that view.

The plan of the improvement would be to clear the river along its open

parts, of all detached impediments, and at the obstructions described, to excavate channels 60 feet wide, by blasing and removing the rock from the bed of the river. At each of these points, a channel perfectly straight, or nearly so, could be effected.

These channels should be constructed by first blasting the central parts, and placing the excavated materials along the sides of the channel, on the surface of the natural rock, so as to raise, on each side, a wall, or compactly placed pile, or embankment, that should rise above high water mark; the sides should be cleared of all protuberant points, and all chasms and interstices between the boulders should be compactly filled with rock taken from the channel. The bottom of the channel, at the head, should be sunk below low water mark, as deeply as possible, and if any surplus materials remained, more than would be needed for the side embankments, they should be placed along the foot of the channel in the bottom, and disposed so as to prolong the fall.

A channel thus constructed at the Big Narrows, might be so modified, that the velocity would not be greater than in many other parts of the river.

The present depth of the rock that would form the basement of the side walls, is such, that a very great additional height would not be required to lift the walls above high water; and by making use of strong cranes, and other proper fixtures for carrying on such works, the additional expense of raising the embankments, would not be very great. The channel would thus be always distinctly defined, and the boatmen would never be in danger of running upon hidden obstructions. A channel constructed in this manner could be navigated with the most perfect safety.

The volume of water in the Rockcastle, would probably keep up such a navigation about three or four months during the high water season of the year.

The estimate of the cost of such an improvement, is thus furnished. While engaged in the survey, each individual obstruction from point to point in the order of its occurrence, was examined, with a view to such an improvement, and its estimated cost of removal, &c. noted in the field book. Upon bringing all these items into one sum, and then adding \$15 per mile to cover the expense of clearing away overhanging trees, &c., I find the aggregate cost from the mouth of Round Stone to the mouth of Rockcastle to be

\$32,640 00

To which, add a sum equal to the estimated cost of improving the first 20 miles below the mouth of Round Stone, (which is found to be \$750,) to cover the cost of imp't. between the mouth of Round Stone and Big Raceoon—distance also 20 miles,

\$750 00

Total net cost,

\$33,390 00

The general distribution of this cost amongst subordinate points is estimated as follows:

Big Narrows,
Ball Alley,

\$19,000 00
2,000 00

vs,	1,800 00
s obstructions,	10,590 00
total,	\$33,390 00
ingencies 10 per cent,	3,339 00
and Total,	\$36,729 00

ps, proper to add, that the junction of these two rivers is w the falls of Cumberland; and that the navigable waters id extend 7 miles above the mouth of Rockcastle, to-wit, of Laurel river.

s below the mouth of Rockcastle, there are some serious requiring high water, to pass them; also, at various other en this and Nashville, are occasional shoals and impedi- a good boating tide the Cumberland is navigable to the om the point above named. But as the Board are already of more full information, in the report of the U. S. Engi- ely surveyed that river, the subject is, perhaps, unneces- sed. I will, therefore, merely add, that from the falls e Cumberland is a copious river, affording a large volume d that, whenever the wants of the country shall require ht, that it will be found to be clearly susceptible of im- or a permanent and uninterrupted navigation throughout ear.

wing remarks, in relation to what is deemed to be the ulti- tibility of the Rockcastle, although not strictly necessary, at

may, perhaps, be introduced without impropriety, before clos- ing this paper.

At some future day, as the country reaches a more advanced state of improvement, it may be found desirable to effect a channel for cheap conveyance between the district of country which separates the head waters of Rockcastle, from those of that vicinity, which fall into the Kentucky river, and the regions along Cumberland river, between the falls and Nashville.

Such a channel, it is believed, would be found highly desirable in the event of either of the following contingencies, viz:

1st. In the event of the improvement of Kentucky River, for a per- manent navigation.

2d. In the event of the improvement of Cumberland River, for a permanent navigation.

3d. In the event of a communication, by Rail Road, or of any other description, being made to pass, through any part of either of the above named regions, between the Atlantic coast and the Ohio River.

4th. In default of either, or all of the above, the extension to Cum- berland Gap, of the Franklin and Crab Orchard turnpike road would produce, (though in a more limited degree,) the same effect.

In either of the above contingencies, the facilities that would be offered to travel and transportation in the direction between the older States and the countries northward and westward of the Ohio River, would create the necessity of lateral channels communicating with the

parts, of all detached impediments, and at the obstructions described, excavate channels 60 feet wide, by blasting and removing them from the bed of the river. At each of these points, a channel perfectly straight, or nearly so, could be effected.

These channels should be constructed by first blasting the parts, and placing the excavated materials along the sides of the channel, on the surface of the natural rock, so as to raise, on each side, or compactly placed pile, or embankment, that should rise a water mark; the sides should be cleared of all protuberant parts, all chasms and interstices between the boulders should be filled with rock taken from the channel. The bottom of the channel at the head, should be sunk below low water mark, as deeply as possible, and if any surplus materials remained, more than would be required for the side embankments, they should be placed along the foot of the channel in the bottom, and disposed so as to prolong the fall.

A channel thus constructed at the Big Narrows, might be such that the velocity would not be greater than in many other rivers.

The present depth of the rock that would form the base of the side walls, is such, that a very great additional height would be required to lift the walls above high water; and by making use of cranes, and other proper fixtures for carrying on such work, the expense of raising the embankments, would not be great. The channel would thus be always distinctly defined, and it would never be in danger of running upon hidden obstructions. A channel constructed in this manner could be navigated with perfect safety.

The volume of water in the Rockcastle, would probably keep up such a navigation about three or four months during the high water season of the year.

The estimate of the cost of such an improvement, is thus furnished. While engaged in the survey, each individual obstruction from point to point in the order of its occurrence, was examined, with a view to such an improvement, and its estimated cost of removal, &c. noted in the field book. Upon bringing all those items into one sum, and then adding \$15 per mile to cover the expense of clearing away overhanging trees, &c., I find the aggregate cost from the mouth of Round Stone to the mouth of Rockcastle to be \$32,640 00

To which, add a sum equal to the estimated cost of improving the first 20 miles below the mouth of Round Stone, (which is found to be \$750,) to cover the cost of improvement between the mouth of Round Stone and Big Raccoon—distance also 20 miles,

\$750 00

Total net cost,

\$33,390 00

The general distribution of this cost amongst subordinate points is estimated as follows:

Big Narrows,
Ball Alley,

\$19,000 00
2,000 00

22000

Beech Narrows,	1,800 00
Miscellaneous obstructions,	10,590 00
Net total,	\$33,390 00
Add for contingencies 10 per cent,	3,339 00
Grand Total,	\$36,729 00

It is, perhaps, proper to add, that the junction of these two rivers is 14 miles below the falls of Cumberland; and that the navigable waters of Cumberland extend 7 miles above the mouth of Rockcastle, to-wit, to the mouth of Laurel river.

A few miles below the mouth of Rockcastle, there are some serious obstructions, requiring high water, to pass them; also, at various other points, between this and Nashville, are occasional shoals and impediments, but in a good boating tide the Cumberland is navigable to the Ohio river from the point above named. But as the Board are already in possession of more full information, in the report of the U. S. Engineer, who lately surveyed that river, the subject is, perhaps, unnecessarily mentioned. I will, therefore, merely add, that from the falls downward, the Cumberland is a copious river, affording a large volume of water, and that, whenever the wants of the country shall require it, it is thought, that it will be found to be clearly susceptible of improvement for a permanent and uninterrupted navigation throughout the whole year.

The following remarks, in relation to what is deemed to be the ultimate susceptibility of the Rockcastle, although not strictly necessary, at this time, may, perhaps, be introduced without impropriety, before closing this paper.

At some future day, as the country reaches a more advanced state of improvement, it may be found desirable to effect a channel for cheap conveyance between the district of country which separates the head waters of Rockcastle, from those of that vicinity, which fall into the Kentucky river, and the regions along Cumberland river, between the falls and Nashville.

Such a channel, it is believed, would be found highly desirable in the event of either of the following contingencies, viz:

1st. In the event of the improvement of Kentucky River, for a permanent navigation.

2d. In the event of the improvement of Cumberland River, for a permanent navigation.

3d. In the event of a communication, by Rail Road, or of any other description, being made to pass, through any part of either of the above named regions, between the Atlantic coast and the Ohio River.

4th. In default of either, or all of the above, the extension to Cumberland Gap, of the Franklin and Crab Orchard turnpike road would produce, (though in a more limited degree,) the same effect.

In either of the above contingencies, the facilities that would be offered to travel and transportation in the direction between the older States and the countries northward and westward of the Ohio River, would create the necessity of lateral channels communicating with the

countries on the right and left. And in process of time with the increase of population, and progressive expansion of commercial business, it may not, perhaps, be regarded as chimerical to anticipate some one, or all of these events. In any event which may hereafter suggest the necessity of a communication between the two districts of country first above named, the Rockcastle is believed to present the means of effecting such a communication.

In the course of the survey, I made two guages of the volume of water flowing in this river. The first was made at a point 2 to 3 miles below the commencing point of the survey, or, between 45 and 46 miles above the mouth of the river. In this instance, the quantity of water was found to be 1294 cubic feet per minute. The second guage was made about 12 miles below this, and the quantity found was 1351 cubic feet per minute. It was my intention to have made another guage at the mouth of the river, but I was prevented in consequence of the ill health of the party. I have, however, no doubt, that the volume, at that point is fully 50 per cent, if not 100 per cent, greater than at either of the points guaged.

The Little Conemagh River, in Western Pennsylvania, supplies at one point the water which maintains the line of canal and slackwater navigation along that river, constituting a part of the state line of improvements between Philadelphia and Pittsburg; and from a report, by Mr. Welch, Chief Engineer of those works, it appears that in 1830, the volume of that stream was reduced to less than 650 cubic feet per minute.

This was at a season of rigorous drouth, and he states that the supply at that time was insufficient for the navigation, but that the stream afforded a sufficiency at ordinary times.

As it is not impossible, that at some future time it may be thought proper to make permanent improvements in the Rockcastle, I will observe, that the volume shown by either of the above named guages, in a river flowing over a soil like that of this country, and otherwise circumstanced as this river is, is deemed to be competent to maintain a permanent navigation by locks and dams, capable of meeting all the demands that would be required of it, in either of the events above adverted to.

If an improvement of this character should ever be required, the work now necessary to provide a high water channel, might be regarded as so much preparatory work towards an ultimate slackwater navigation, inasmuch as the impediments now in the way of its highwater navigation, would also obstruct a navigation by locks and dams.

All of which is respectfully submitted.

R. P. BAKER,
Chief Eng. State Ky.

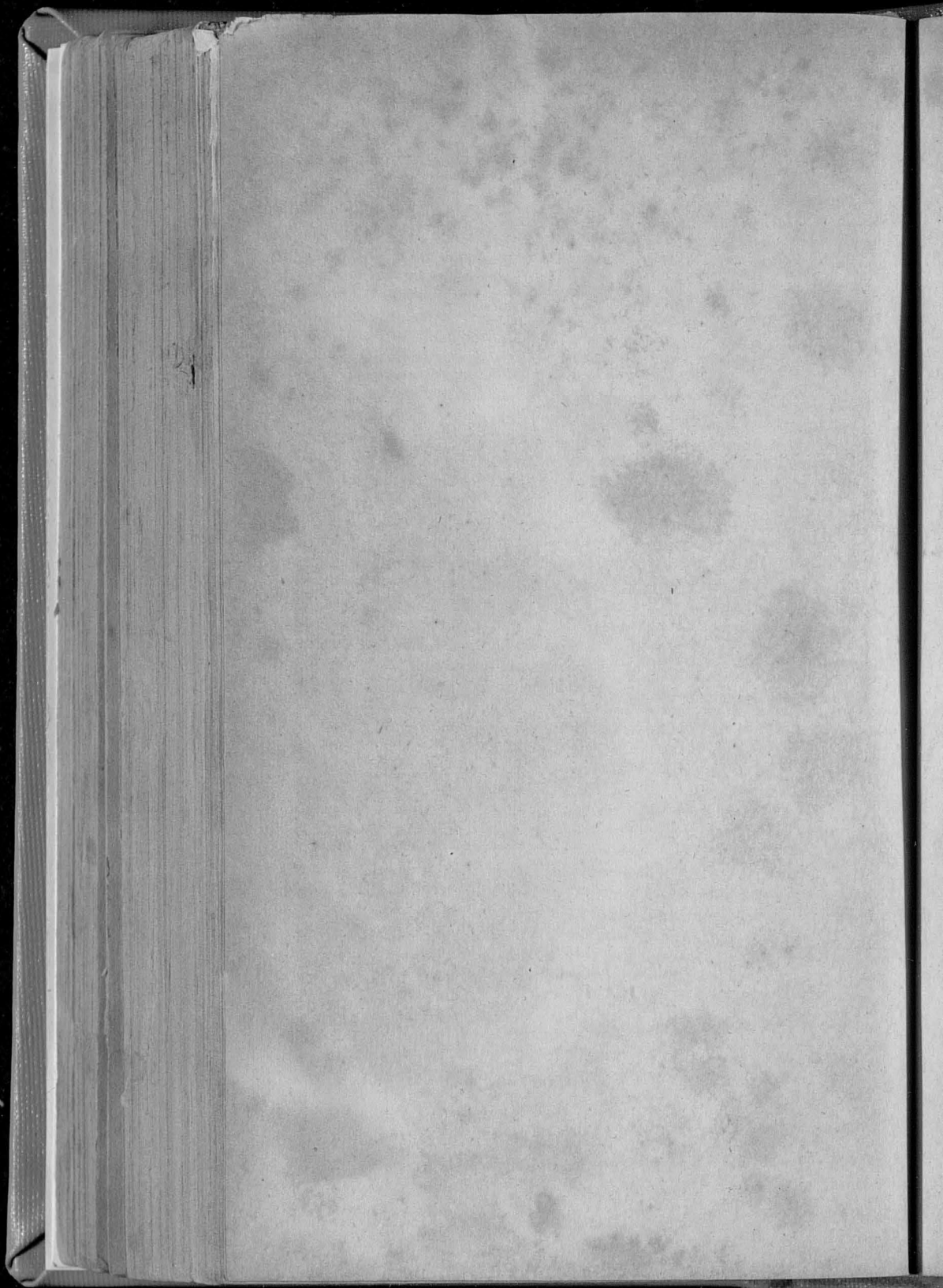
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